

Redington Beach, Fla., relative to the discontinuation of photocopy services at post offices; to the Committee on Post Office and Civil Service.

370. Also, petition of the city council, Inkster, Mich., relative to the observance of Martin Luther King's birthday as a national holiday; to the Committee on Post Office and Civil Service.

371. Also, petition of B'nai B'rith Women, Washington, D.C., relative to tax credits for child care; to the Committee on Ways and Means.

372. Also, petition of the United-Italian American Labor Council, Inc., New York, N.Y., relative to Federal aid to New York City, and multinational corporations and labor standards; jointly, to the Committees on Banking, Currency and Housing, and Education and Labor.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 6721

By Mr. SIMON:

Page 20, line 8, after "(2)" insert "(A)".

Page 20, after line 20, insert:

"(B) Any lease which permits surface coal mining which the Secretary proposes to issue under this Act shall be submitted to the Governor of each State within which the

coal deposits subject to such lease are located. No such lease may be issued under this Act before the expiration of the 60-day period beginning on the date of such submission. If any Governor to whom a proposed lease was submitted under this subparagraph objects to the issuance of such lease, such lease shall not be issued before the expiration of the one-year period beginning on the date the Secretary is notified by the Governor of such objection. During such one-year period, the Governor may submit to the Secretary a statement of reasons why such lease should not be issued and the Secretary shall, on the basis of such statement, reconsider the issuance of such lease."

H.R. 9464

By Mr. ECKHARDT:

(Amendment to Mr. Krueger's amendment published in the CONGRESSIONAL RECORD of December 8, 1975; on pages 39152-39156.)

Section 204 is amended to read as follows: "SEC. 204. (a) Section 2 of the Natural Gas Act (15 U.S.C. 717(a)) is amended by redesignating paragraphs (7) through (9) as paragraphs (13) through (15) and inserting the following new paragraphs:

"(7) 'Boiler fuel use of natural gas' means the use of natural gas as the source of fuel in a generating unit of more than 25 megawatts rated net generating capacity or in any unit which is part of an electric utilities system with a total net generating capacity of more than 150 megawatts for the purpose of generating electricity for distribution.

"(8) 'New natural gas' means natural gas produced by independent producers and sold or delivered in interstate commerce—

(A) which is dedicated to interstate commerce for the first time on or after January 1, 1976, or

(B) which is continued in interstate commerce after the expiration of a contract by its own terms (and not through the exercise of any power to terminate or renegotiate contained therein) for the sale or delivery of such natural gas existing as of such date, or

(C) which is produced from wells commenced on or after January 1, 1976.

"(9) 'Old natural gas' means natural gas other than new natural gas.

"(10) 'Affiliate' means any person directly or indirectly controlling, controlled by, or under common control or ownership with any other person, as determined by the Commission pursuant to its rulemaking authority.

"(11) 'Offshore Federal lands' means any land or subsurface area within the Outer Continental Shelf, as defined in section 2 (a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).

"(12) 'Independent producer' means a person, as determined by the Commission, (A) who is not affiliated with a person engaged in the transportation of natural gas in interstate commerce, and (B) who is not a producing division of such a person engaged in the transportation of natural gas in interstate commerce.

EXTENSIONS OF REMARKS

EFFECTIVE FEDERAL INCOME TAX RATES OF MAJOR U.S. BANKS JANUARY 19, 1976

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. VANIK. Mr. Speaker, in October of last year I released my fourth annual corporate tax study. The study is a report on close to 150 major American companies, from industrials to utilities, and transportation to commercial banks. Using publicly available figures, the study is able to approximate the effective Federal income tax rates of the companies. This latest study, for tax year 1974, showed that 142 companies paid an approximate effective U.S. Federal income tax at a rate of 22.6 percent.

Because of the length of the statistical portion of that study, I did not include a summary of the situation with respect to the commercial banking portion of the economy. Because of the recent interest that has focused on commercial banks, I would like to insert that summary for the information of my colleagues.

The figures show that the nine commercial banks in the study paid an average approximate effective Federal tax of 11.7 percent—a far cry from the 48 percent corporate tax rate.

I must emphasize that these banks were able to reduce their tax load through entirely legitimate means. They have taken full advantage of the tax "stimulants" and "incentives" that the Congress has put into the tax code. In some cases these provisions may have

outlived their usefulness, in other cases they may be completely justified. In any event, their clever use by many American companies has allowed companies to drastically lower their Federal income tax load, or avoid it completely.

I hope that the following summary and statistics on U.S. commercial banks will be of interest to my colleagues.

COMMERCIAL BANKS

Only recently have the full implications of the trend of tax avoidance by commercial banks begun to unfold. A little over a year ago an economist at the Philadelphia Federal Reserve Bank compiled data on the tax burden of banks over the past decade. The results were startling. In 1961, commercial banks were paying an effective rate of Federal income tax of about 38.3 percent of net income. By 1972 the rate had dropped to 16.8 percent.

There are several reasons underlying the reduction of Federal tax liability by banks. First, the banking industry generally earns a good portion of its income from investments in tax-exempt State and local securities. Under our tax laws the interest on State and local government obligations is exempt from income tax. Generally speaking, about 11 percent of the assets of commercial banks consists of these securities.

A second tax advantage exploited by banks is the lower capital gains tax on the income from securities transactions. Additionally, banks are allowed tax deductions for reserves set up to offset loan losses.

These three tax advantages are enjoyed by banks primarily because of their unique status as financial institutions.

The banking industry provides a service; it does not manufacture goods. Nonetheless, the industry has moved into two other areas of tax preference which have long been the province of nonfinancial corporations—the foreign tax credit and liberalized capital recovery provisions.

According to the Federal Reserve study, foreign tax credits claimed by banks jumped from \$63 million in 1967 to \$218 million in 1971. This increased use of the foreign tax credit simply documents the remarkable growth in international activities by the banking industry. In 1971, 91 U.S. banks had a total of 583 foreign branches. The combined assets of these foreign branches totaled over \$60 billion, or about 10 percent of the total assets of all domestic banks and branches. In just 2 years there was a remarkable expansion of foreign operations. By 1973, 136 U.S. banks—an increase over 1971 of 45 banks—had foreign branches. The number of foreign branches grew to 694. By the end of July 1974, the assets held by these branches totaled \$145 billion—over twice the total of 1971 and a twelfold increase over 1966. At the same time, foreign tax credits claimed by banks increased by more than threefold in 4 years.

The growing investment of U.S. banks in foreign operations raises significant questions concerning the risks and conflicts these activities hold for the stability of the domestic banking industry. For example, what impact do these activities have on the control of domestic credit flows and the allocation of credit among sectors of the U.S. economy?

As disturbing as the worldwide expansion of banking has become, the move-

ment of banks into the use of tax deductions typically exploited by manufacturing corporations is equally serious. Through equipment leasing, banks have opened the door to an entirely new and profitable area of tax avoidance. Leasing actually involves the bartering of tax breaks, principally the investment tax credit and accelerated depreciation deductions. The bank purchases equipment, claims the tax advantages of the investment and then leases the equipment to the industrial corporation that actually uses it.

An illustration will demonstrate the financial appeal that leasing transactions hold for the banks. Generally speaking, there are four parties to a levered lease arrangement:

First, a commercial bank, which serves as the lessor;

Second, an insurance company or investment banker which lends the lessor as much as 85 percent of the equipment's purchase price;

Third, a leasing broker who promotes and mediates the transaction; and

Fourth, the lessee, usually an industrial corporation.

The commercial bank, as lessor, only needs 15 percent equity interest in the equipment in order to take advantage of the tax savings. These savings include:

First, deduction of the interest payments on debt;

Second, use of the Asset Depreciation Range in order to reduce the equipment's service life;

Third, amortization of the initial administrative costs of entering into the lease; and

Fourth, use the investment tax credit.

Leasing is not confined to the highly publicized "big ticket" items such as airplanes, railroad cars, and merchant ships. Leasing also extends to such mundane investments as potato chip cookers, portable handball courts, and zebras for amusement parks. Even on these investments, tax benefits are bartered. How fast has this industry been growing? Nobody knows for sure, but the Federal Reserve Bank of Boston estimates that the industry grows 10 to 30 percent per year.

The development of the leasing indus-

try is a direct result of our liberalized tax treatment of capital investment. Leasing involves capturing tax benefits which otherwise might have been lost. As a Boston Federal Reserve Bank study on leasing stated:

"Tax considerations are a major element in most large leasing deals, when a lessee is unable to take advantage of the tax benefits accruing to the acquisition of capital assets for whatever reason (e.g., earnings may be too low or available write-offs may already be large) . . . Generally, however, if a lessee anticipates sufficient taxable income, borrowing to purchase equipment offers greater tax benefits and is less expensive than leasing."

Why should we be concerned with the rapid growth of the leasing industry? First, it indicates the fact that our tax system has been saturated with investment incentives to the extent that financing gimmicks are needed to utilize the tax benefits we have provided. Second, leasing has no net benefit to our economy over any other means of financing capital investment, but it can create distortions in our economy by overstimulating investment. Take the example of the airline industry, where many companies are now saddled with over-commitments to new aircraft and expensive ground facilities. In the 1960's when these investments were made, the profit position of these companies did not justify some of these massive investments. But these strictly economic considerations were overridden by generous tax benefits. In short, leasing appears to have magnified the tax-induced distortions of investment patterns in our economy.

Finally, the remarkable growth of leasing raises some important questions concerning the future health of our economy. As an economist for the Financial and Commercial Chronicle has noted:

"The spectacular entry of bank organizations into direct lease financing can literally turn our economic system upside down * * * (T)his trend is taking our economy from a system comprised of owners who are the producers into one where the owners are not the producers but the financiers * * * In a word, it

means increasing banking concentration of control and ownership of industry."

This development, in turn, has the most significant implications for the future strength of our economy. Competition and risk impose important discipline on the marketplace; they make sure that business decisions are prudent and that business activity is efficient. Leasing activities minimize the influence of both risk and competition. How healthy can it be for banks to have 100 percent equity control over capital equipment with as little as 20 percent equity funds?

In 1974, Senators METCALF and MUSKIE, Chairmen of two Senate Government Operations Subcommittees, published their monumental study, Disclosure of Corporate Ownership. This study showed the growing power of banks and bank trust departments in the possible control of the American world economy:

"As the tabulations in this report make abundantly clear, trust departments of banks, and especially of the large New York City banks, are conspicuous among the 30 largest holders of most of the companies which responded fully, or even in part, to Senator METCALF's letter. This concentration of holdings suggests significant influence by these banks in the management of the companies where they hold large blocks of stock. However, this is an area in which there is a great deal of ignorance."

We may be ignorant of the day-to-day control that these banking giants exercise over America's industrial corporations—but there can be no doubt that their control is growing, fed by the cash flow of tax free income and nearly untaxed profits.

The time is long past due when those interested in democratic public policy should demand an investment and tax accounting of the Nation's banking giants.

Following is data on eight of America's nine largest banks. In 1974, these eight financial giants paid \$174 million in Federal corporate taxes on \$1,489 million in profits for an industry average effective rate of 11.7 percent. This phenomenally low tax rate is not a 1 year accident. In 1973, for example, the eight leading banks paid \$108 million on \$1,124 million in profits for an effective tax rate of 9.6 percent.

APPROXIMATE EFFECT TAX RATES PAID BY SELECTED LARGE CORPORATIONS—1974

Corporation	Adjusted net income before Federal and foreign income tax ¹ (thousands)	Approximate current Federal and foreign income tax (thousands)	Approximate adjusted net income before Federal income tax ² (thousands)	Approximate taxes paid to foreign governments (thousands)	Approximate current Federal income tax ³ (thousands)	Approximate effective worldwide tax rate (percent)	Approximate U.S. effective tax rate on worldwide income ⁴ (percent)
Commercial banking list:							
Bank America Corp.	365,540	94,000	301,540	64,000	30,000	25.7	9.9
First National City Corp. (Citicorp)	512,295	209,401	351,295	161,000	48,401	40.9	13.9
The Chase Manhattan Corp.	235,487	66,683	171,206	61,710	4,973	28.3	2.9
Manufacturers Hanover Corp.	201,750	42,617	174,324	18,376	24,241	21.1	13.9
J. P. Morgan & Co., Inc.	250,535	74,946	213,415	37,236	37,710	29.9	17.7
Western Bank Corp.						(4)	(4)
Chemical New York Corp.	97,046	33,021	84,915	12,373	20,648	34.0	24.3
Bankers Trust New York Corp.	84,002	15,562	63,382	12,536	3,026	18.5	4.8
Continental-Illinois Corp.	145,971	23,682	129,413	18,402	5,280	16.2	4.1
Total	1,892,626	559,912	1,489,490	385,633	174,279	29.6	11.7

THE 200TH ANNIVERSARY OF THE MARINE CORPS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, January 19, 1976

Mr. THURMOND. Mr. President, on the 200th anniversary of America, I know of no greater institution in our country which epitomizes our Nation's history more than the U.S. Marine Corps. The history of America's fight to preserve freedom in the world can be traced by the feats of heroism of the Marine Corps from the Revolutionary War to Vietnam.

In this Bicentennial Year, I am proud to join with all Americans in paying tribute to the U.S. Marine Corps on the occasion of its 200th anniversary. In recognition of their loyalty, dedication, courage, and contribution to help defend our freedoms, I would like to insert in the RECORD an excellent article which highlights the bravery and the historical achievements of the corps.

Mr. Albert Burchard, a former Marine and a member of the staff of the New York News, wrote an outstanding article on the saga of the Marine Corps. His article entitled, "Marines Can Be Proud of Their 200th Anniversary," was reprinted in Human Events, the National Conservative Weekly, on January 17, 1976.

Mr. President, in commemoration of 200 years of brave and courageous fighting for America, I ask unanimous consent for this feature article to be printed in the RECORD in honor of the U.S. Marine Corps.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARINES CAN BE PROUD OF THEIR 200th ANNIVERSARY

(By Albert Burchard)

Parris Island, 1944 . . . Boot camp for the thousands of kids who would, eventually, emerge as Marines. Boot camp, and a drill instructor turning them out at three in the morning for close-order drill.

Awe and fear of the drill instructor, but even he was in awe of one other enlisted man at Parris Island, Master Gunnery Sgt. Lou Diamond, turned out like a bearded recruiting poster and saluted by every man on the post, from general down, except those he had served with. They just shook hands.

Nobody knew how old Lou Diamond was, but the hashmarks on his sleeve—one for every hitch—came almost up to the bottom rocker of his rank. He'd started in World War I, or before, and carried a citation for lobbing a 60-mm. mortar shell down the chimney of a German-occupied house in France. He had carried on through Haiti and Nicaragua and into World War II, and on Guadalcanal he pulled another stunt with a mortar.

In those days, in 1942, the 1st Marine Division was clinging doggedly to a beachhead, and every night the Japanese would send destroyers down the slot between Guadalcanal and Tulagi, and shell the Marines. Lou got mad about that, and the story is that he sat there on the beach holding a mortar between his knees, trying to get one shell down the stack of an enemy destroyer.

Between the wars, it is said, Lou Diamond designed most of the equipment worn by every Marine—the haversack, the field pack,

the poncho, the blanket roll, the canteens—name it.

Probably that is exaggeration, but then, the Marines are known for that, too, as well as heroism, and Lou Diamond exemplified both. In the best sense, he epitomized the Marine Corps, the loyalty, courage, devotion and, above all, the esprit, that have marked the corps since its beginning 200 years ago.

The saga of the Marine Corps began in a tavern, naturally enough. Tun Tavern, Philadelphia, with Robert Mullen as proprietor. And, again naturally, the corps was founded to solve a problem, then raised by separate militia armies that lacked unification and strong federal control.

The idea, according to the Continental Congress, was to found two battalions of fighting men who were "good seamen, or so acquainted with maritime affairs as to be able to serve to advantage by sea when required . . ."

Whereupon we come to Marines in the crossrees of American ships, firing down into the decks of British ships. It was, of course, only the enlisted men who had to scurry up the shrouds with muskets and powder and ball. The officers remained on deck, with drawn cutlasses, ready to lead boarding parties. The story is that the officers were susceptible to mis-identification, which could lead to unfortunate marksmanship from the rigging, and that the officers, therefore, adopted the odd, four-pointed ribbon insignia for the top of their caps. The device—still worn, by the way—would make sure the officer was not shot by his own men. That's the story, but, like so many others, it probably isn't true. The quatrefoil had been worn by European officers since the 15th Century.

The enlisted men were perhaps somewhat awkward as they ran the ratlines, and this was due, at least in part, to their odd neckwear. They sported leather collars, and tradition has it that these were meant to turn the enemy's cutlass blows. Again tradition probably is wrong. The truth is that the leather was stiff and uncomfortable, but it made the men stand up straight, which was especially impressive in shipboard ceremonies.

The collars have been gone a long time, but their tradition remains, and to this day Marines are called "leathernecks." There is another odd descendant of the leather stock, the name by which Marines, until recently, called a necktie. It was a field scarf, something to go around the neck. And the Marines, unlike Army men, never tucked it in. They let it all hang out.

Many modern Marines envy the originals for one particular reason—no boot camp. Boot camp is a particular kind of hell devised by some past genius for the warping of the most rebellious characters into Marines. Boot camp is where the recruit learns to march and salute and fire a rifle and cuss the drill instructor—but not audibly. There the poor boot learns that it really is easy to fire a rifle from each of the four authorized positions—standing, kneeling, sitting and prone. The sitting position is often difficult at first, but the minute a 200-pound gunnery sergeant sits on the recruit's shoulders, it becomes easy.

Gunnery sergeants are unique to the Marine Corps. It has been said that they are first sergeants whose brains have been addled. However, that is not true. Gunnery sergeants stand to the left of the company commander, take the commander's place at inconvenient formations such as reveille, teach the fledglings how to drink beer, and generally make themselves conspicuous. When a corporal starts to grow a beerbelly, he is said to be "bucking for gunny."

In any event, the original Marines behaved admirably in various sea encounters and made a name for themselves in a couple of invasions during the Revolutionary War.

One was at New Providence Island in the

Bahamas, the first of many successful amphibious actions by the Marine Corps. It was led by the first commissioned officer of the corps, Capt. Samuel Nicholas of Philadelphia. The object was to capture two British forts and run off with the powder and ammunition stored there. They succeeded.

Some other Marines outfitted themselves in an old boat and cruised the Mississippi, harassing the British. They renamed the boat the *USS Rattletail*, and kept it afloat for a year, until 1779, after which they left old *Rattletail* tied up in St. Louis, reported to Gen. George Rogers Clark and fought, of all things, Indians.

The next really notable encounter in Marine Corps history occurred in the Sahara Desert, 600 miles of it across Libya to Derme, Tripoli. The march is forever etched into Marine minds because it was the "shores of Tripoli." But the truth is that there were only nine Marines involved, led by a Lt. Presley N. O'Bannon. The rest of the force were Greeks, Arabs, Turks and a lot of camels. They did, however, succeed in raising the American flag over the fort and turning the fort's guns on the governor's castle, causing him to haul down the Tripolitanian banner.

It was 40 years later, legend has it, in the Aztec Club in Mexico City that several convivial officers made up the Marine Corps Hymn. Perhaps because they were there, the authors put the "halls of Montezuma" first. They then recalled a comic-opera tune by Offenbach and threw the whole thing together.

The result has been known to bring tears to the eyes of tough men ever since. When the band starts to swing out the Hymn and the troops are at a ramrod present arms, the spines of old Marines grow goose bumps.

The Aztec Club is interesting for another—and to a Marine minor—reason. Among its charter members were U. S. Grant, Robert E. Lee, Franklin Pierce, Joseph Hooker, John B. Magruder, George G. Meade and George B. McClellan. They were all to meet later in the War Between the States, frequently over gunshots.

In that war, the Marine Corps was engaged frequently, but usually in minor skirmishes when, as members of a ship's crew, they stormed a rebel fort or helped keep Confederate shipping confined to port.

There was one odd exception, and that was just before the Civil War erupted. A Kansas zealot named John Brown (originally from Troy, N.Y.) had seized the federal arsenal at Harper's Ferry, Va. Marines, commanded by Army Col. Robert E. Lee, took back the arsenal and captured Brown and his force.

The corps celebrated its first hundred years spread around the world. Its functions were becoming traditional—aboard capital ships of the Navy, guarding U.S. embassies, protecting American interests in brushfire affairs—and staying proficient in amphibious warfare.

These functions persist to this day. The corps now has about 196,000 men arranged in three divisions and three air wings—plus detachments at 115 embassies and aboard various ships.

But it took a long time for the corps to be allowed even its first division. In fact, it was in World War II.

In World War I, Marines carved a large hunk out of German-held territory in France and added more layers of tradition, but they were only a brigade, and they fought as part of an Army division.

They fought hard enough, though, so that Belleau Wood is officially called The Forest of the Brigade of Marines, and the 6th Regiment was awarded the French fourragere, which its members still wear—a braided loop around the left shoulder.

Men of the 6th are still called "pogybait Marines," because the legend is that they arrived in France with their ships loaded backward—equipment on the bottom, and

candy, shaving cream and razor blades on top. They are supposed to have worked their way down to the combat gear. "Pogey-bait" is the Marine Corps name for candy and other goodies. It probably comes from an old Navy term for shoreside treats not available at sea.

It is easy to chuckle at such stories. But these were the same Marines whose commander, Col. Frederick M. Wise, wheeled his 5th Marines into line, then was told the French were retreating. He was advised to do the same, but said, with moderate heat: "Retreat, hell! We just got here!"

And it was also during World War I that Dan Daley led his troops out of the trenches by yelling at them, "Come on, you sons-a-bitches, do you want to live forever?"

Most Americans forgot the Marine Corps over the next 23 years. They were buried in such places as Haiti and Nicaragua, China and the Philippines, and they fought frequently, and with valor, without much recognition.

But when it became apparent that World War II was about to break out, the corps began putting a fine edge on its amphibious tactics.

That war had been foreseen as early as 1920 by Maj. Earl E. Ellis, who wrote: "It will be necessary for us to protect our fleet and landing forces across the Pacific and wage war in Japanese waters. . . . It is not enough that the troops (in amphibious warfare) be skilled infantrymen or artillerymen of high morale; they must be skilled jungle men and water-men who know it can be done—Marines with Marine training."

And, so it was on Aug. 7, 1942, that Ellis' doctrine faced its test by fire. The 1st Marine Division, Gen. A. A. Vandegrift commanding, waded ashore at Guadalcanal and Tulagi. The landing craft were primitive, the rifles were 1903 design and the Japanese were fanatically determined. Nevertheless, the Marines hung on. They clawed out Henderson Field for their air support, waded through acres of saber-like kunai grass, scaled steep creek banks and learned night jungle fighting.

The old Springfield '03 held five rounds and was hand-operated. The Japanese, of course, knew this. It therefore was quite a nice surprise, from the Marines' point of view, when a unit was secretly re-weaponed with the Garand M-1, which held eight rounds and was semi-automatic. The Japanese waited until five rounds had been fired and then charged the American position—only to be mowed down by the extra three bullets.

The net effect of Guadalcanal was that the Japanese Pacific advance had been stopped. But there was still a lot of war to be fought.

The islands run up the ocean toward Japan like so many stepping stones in a brook. They also run down from Japan toward, particularly, Australia, and the Japanese knew that. Stopping the Japanese advance at Guadalcanal did nothing to cool the welcome the Aussies gave the 1st Marine Division after the campaign.

But there were still scores of islands to go—the Gilberts, the Carolines, the Marshalls, the Palaus, the Philippines, the Marianas, the Bonins and the Ryukyus. The names ring in Marine Corps history like notes from the Liberty Bell.

The basic strategy was to bypass as many islands as possible, but to take those needed for airfields and forward bases. One of the keys in this chain of thinking was Tarawa atoll in the Gilberts—heavily fortified, fully garrisoned and truly formidable.

The Navy put together the mightiest task force it had yet deployed in the Pacific, and for three days and nights poured shells into the island called Betio.

At about 9 o'clock on the morning of Nov. 20, 1943, the battle was joined. The first men of the 2d Marine Division went

ashore in amphibious tractors. The Japanese emerged unhurt from their deep defenses (coconut palm legs are notoriously difficult to shell effectively), and one of the fiercest struggles in the history of war was under way.

The second wave started to the beach in landing craft—to find that their craft beached on a reef a hundred yards or more off shore. The official Marine Corps history says drily that this "resulted in numerous losses from enemy fire." It was a mess, but the Marines kept coming, and by late afternoon the 2d Regiment had dug in to stay. The next day, Col. David M. Shoup (later to be a commandant of the corps) radioed: "Casualties: many. Percentage dead: unknown. Combat efficiency: we are winning."

And so it went, up that ladder of islands. After Tarawa came Kwajalein, and after that Eniwetok. Then came one of the prizes—the Guam-Tinian-Saipan stretch, with its capability of harboring aircraft that could reach out to bomb Tokyo—not to mention Hiroshima and Nagasaki.

It was not all without humor. There is a rumor that the over-all theater commander, Gen. Douglas MacArthur once inspected a Marine heavy artillery outfit and found, to his utter outrage, a sign hanging on the barrel of a cannon. It read: "With the help of God and a few Marines, MacArthur retakes the Philippines."

Incidentally, not all Marines in World War II were in the Pacific, though nearly the entire corps served overseas somewhere.

Okinawa was the last Japanese gasp, and again it was the Marines doing their thing—but with a difference. There was no initial Japanese resistance. It was Easter Sunday, April 1, 1945, when the assault party—the 1st Marine Regiment—went in, and within three days they had cut the island in half. Later, joined by the Army, they went toward the southern tip of the island, and it was a different story.

In the end, the Japanese surrendered, or were wiped out. Then came the atomic bomb and peace—for five years.

Korea was another bloody chapter. MacArthur called for the Marines when his troops were compressed into the tiny Pusan perimeter, and it was the Marines who led the brilliant MacArthur end-around to Inchon and Seoul.

At Inchon, one of the spearheads was the 1st Marine Regiment, commanded by one of the most colorful of all Marines—Col. (later Brig. Gen.) Lewis B. Puller. He was universally known as Chesty, had five Navy Crosses and a lot of other medals that do not come in Cracker Jacks, was a fearless martinet and had a smile that would frighten Dracula. He had led the 1st Marines before, in the jungles during World War II, and it is said that his only combat order was: "OK. Two (battalions) up, one back, let's go." Puller never forgave MacArthur for failing to give his men the credit he thought they deserved at Inchon.

So it went on, with the drive to the Yalu. And so it went back, when the Chinese Communists attacked across the border and started to overrun everybody. The 1st Marine Division was deployed around an area dominated by the Chosin Reservoir, and soon found itself surrounded. It was bone-cold, the snow was deep, the enemy remorseless.

The first problem faced by Maj. Gen. Oliver P. Smith was to unite his men, deployed over an area that normally would have required a corps, not just a division. He ordered them to fight their way together, and it took them 79 hours of continuous battle in 20-below weather to do it. Gen. Smith then ordered the men to fight their way another 56 miles to the coast. Asked if this meant he was retreating (Marine do not recognize that word), Smith said, "We're just attacking in another direction."

In some ways, that marked the high point

in 200 years. The Marines were in Vietnam, and fought with great valor, particularly in the 70-day ordeal at Khe Sanh, where they tied down so many enemy troops that an elaborate plan was ruined. But, even with the glory and the high courage and the gutsy determination displayed throughout the Vietnam War, there is somehow an empty feeling. It was a whole war that nobody won, or if somebody did, it was not the Marines, and it was not in battle.

Within the corps now there is talk of the new computers and of new assault techniques and of new weapons and personal defenses, such as flak jackets. There is some quoting of Adm. Chester W. Nimitz, who said during World War II that "uncommon valor was a common virtue." Very few Marines quote Harry Truman, who said that the corps "has a propaganda machine equal to Joe Stalin's."

But there is one thing that 200 years have shown. In the end, on the ground, it is still a real-estate war. The Marines were enlisted 200 years ago to be fighting men, and whether it is from the foretops of brigs or the bows of a landing craft or the seat of a fighter plane, the corps will take the ground—and hold it.

A TRIBUTE TO AMERICA'S GREATEST SOLDIER—COL. "SI" PARKER

HON. W. G. (BILL) HEFNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. HEFNER. Mr. Speaker, earlier this month a well respected friend of many people, Col. Samuel "Si" Parker, the most decorated officer in World War I, died in Walter Reed Army Hospital. The loss of Colonel Parker has saddened many of the people who knew and respected him throughout America.

I am therefore taking this opportunity to pay tribute to this outstanding man who has been called America's greatest soldier. A Sigma Phi Fraternity award given Colonel Parker in 1965 noted:

His achievements have brought honor and prestige to America and to all the freedom-loving world.

Colonel Parker was one of the first Americans to volunteer for the armed services after the declaration of World War I. He joined the 29th Infantry, 1st Division, American Expeditionary Forces in Europe, and he served in every campaign of the war with the 1st Division.

Colonel Parker's bravery and valor in battle are legendary. For his achievements he was awarded the Congressional Medal of Honor by President Franklin D. Roosevelt. He also received the Distinguished Service Cross and Silver Star with Oak Leaf Cluster. He received the Purple Heart with Oak Leaf Cluster, Victory Medal with five bars and the French Fourragere for individual bravery. In addition, he received many other awards from foreign countries.

Colonel Parker was the Nation's most decorated officer during World War I. Sgt. Alvin York was the most decorated enlisted man.

Colonel Parker also served during World War II from 1940 to 1945 and was the recipient of the Legion of Merit Award for his service in that war. After

World War II, he left the Army with the rank of lieutenant colonel.

Following World War I, Colonel Parker joined private business. Since his retirement in 1956 he had been active in Concord and Cabarrus County civic affairs. He was one of our most respected community leaders.

The Tar Heel State will never forget Colonel Parker's record of dedication and sacrifice to our Nation during a great recorded period of our country's history. North Carolina will remember him as one of her finest and most courageous sons, and all of us who knew him will remember him as a true friend.

I want to take this opportunity to extend my deepest sympathy to Colonel Parker's wife, his daughter, and his two grandchildren—they have lost a husband, a father, and a grandfather in whose memory they can take great pride.

ANIMAL WELFARE LEGISLATION

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MOAKLEY. Mr. Speaker, Ms. Eleanor L. Allen of Boston, Mass., has written to me in support of animal welfare legislation currently before the Congress. I would like to take this opportunity to share Ms. Allen's comments with my colleagues and all those who are interested in the humane treatment of animals, wild and domestic:

MS. ALLEN'S COMMENTS

This letter is written with the hope that its opinions support already existing views, and thereby adds another gram of weight to the cause. At the very least, it will satisfy my personal inclination "to do something."

I strongly encourage you and the other representatives to get the spaying loan fund bill (H.R. 554 and H.R. 2534) out of Committee for a vote. I urge this step not with the disposition of a little old lady wringing her hands in dismay over tea, but with the persuasion of common sense alone.

Nearly \$100 million is spent annually just to destroy stray animals. About \$50 million a year is spent on related dog and cat diseases (over 60 known are transmitted), rabies control, dog-bite care and general sanitation and public health care. Five million dollars' worth of damage is incurred yearly by wild dogs (seemingly a preposterous figure, but a true one).

Increasing the death rate will remain the only means of controlling the prolific animal population until a means of decreasing the birth rate is found. Every hour more than 2,000 dogs and cats are born in the U.S., with over 40% roaming free. The spaying clinics would help eliminate the related problems by simply reducing the colossal numbers of animals causing the problems.

If the clinics can be set up, i.e., financed, then they would actually save cities money in terms of their overall budgets. But, the initial funds are required just to begin. The H.R. 554 and H.R. 2534 bills would provide municipalities federal loans to operate low-cost, non-profit spaying clinics. The maximum loan per city would be \$200,000, through a 4-year national loan fund of \$4 million per year.

An educational fund of \$1 million is allo-

cated to the training of paraprofessionals to aid veterinarians in the clinics.

As suggested by the Committee for Humane Legislation, a small tax on dog and cat food could easily handle the appropriations called for by the bill. A tax of 2½ mills per dollar on the estimated 1974 \$2.135 billion spent on dog and cat food would yield a revenue of \$5,337,500, an amount more than enough to cover the \$4 million annual appropriation. (This arrangement also means pet owners, as opposed to non-pet owners, would be financing a service from which they most directly benefit.)

If an example is to be followed, it is that of Los Angeles. Financial analysis of this city's set-up shows that over a decade of operation, they return \$6.50 in reduced animal control costs for every dollar invested in their operation. The stray population in the city has been reduced by at least 10%, and the number of dog bites reduced correspondingly. The animal traffic in the city's animal shelter system has emphatically declined. Pet owners have saved between \$23.50 and \$140.00 by using the clinics rather than private veterinarians.

Whether the arguments for these clinics appeal on a humane level, they certainly should on an economic one. God knows there are infinite causes more significant to fund than band-aids for unnecessary and rather sad problems such as this one.

PRESERVE FAMILY FARMS BY ESTATE TAX AMENDMENTS

HON. ROBERT McCLODY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. McCLODY. Mr. Speaker, for many years the family farms of America have been suffering great injustice and inequity because of the obsolete estate tax provisions of the Internal Revenue Code. Current provisions in the code require that, for the purpose of determining the estate tax, the value of the family farm must be computed at the fair market value. As a result, many farmers are unable to pay this exorbitant tax and find themselves being forced to give up the farms which they and their families have worked for generations to build.

Mr. Speaker and fellow colleagues in the House, I am offering a legislative proposal which would effectively remedy this most unfortunate plight. The bill which I am introducing today would amend the Internal Revenue Code to encourage the continuation of family farms. For over 200 years, family farms have been an integral part of American life and their vital contribution to the American people continues today. The greatness of America was in large measure achieved by families working together on the farm.

Mr. Speaker, the measure I am introducing would provide that an estate may be valued, for estate tax purposes only, at its value for existing use rather than at its fair market value if the inheritor agrees to keep the farm in operation. I wish to emphasize that this bill would not apply to corporate farms or any multiply owned commercial farm.

Alternatively, if the value of the gross

estate of the deceased farmer totaled \$200,000 or less—the farm would be exempt from Federal estate tax, or if the value of the decedent's farm was more than \$200,000, the farm would be subjected to tax only on its value as agricultural land. These alternatives are spelled out specifically in the measure which I am presenting today.

Mr. Speaker, I urge my colleagues to give this measure their attention and request that we work together to expeditiously correct these unfair and counterproductive provisions in the Internal Revenue Code. The importance of this measure goes beyond the individual farmer and extends to the preservation and continuance of one of the core institutions of the American way of life—the family farm.

Mr. Speaker, I wish particularly to commend my colleague from Missouri (Mr. LITTON) for his initiative in developing this method of preserving the American family farm from the attacks leveled by our Federal estate tax laws. I have been persuaded by the bill which he is sponsoring—H.R. 10243—after which I have patterned the measure which I am sponsoring.

JOHN ROYAL—THE FISHERMEN'S VOICE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ANDERSON of California. Mr. Speaker, on Saturday, January 24, the greater Los Angeles Harbor area will pay tribute to one of its most outstanding citizens. On that day, John Joseph Royal will receive the Yugoslav-American Political Action Committee's Annual Achievement Award for outstanding leadership and service to the community.

As executive secretary of the Fishermen and Allied Workers United, Local 33, John has become widely recognized as an expert on the fishing industry—especially the tuna fleet. He has served as an industry advisor to the Inter-American Tropical Tuna Commission; the Interior Department's American Fisheries Advisory Committee; and the Commerce Department's Marine Fisheries Advisory Committee.

John Royal has also served as a member of the National Advisory Committee on Oceans and Atmosphere, and was an advisor for the State Department's Law of the Sea Task Force Committee.

Locally, John has long been an active and strong force on behalf of the men and women who work in the fishing industry. He was a member of the Los Angeles Harbor Commission for 4 years, where his knowledge of maritime commerce proved to be a valuable asset.

John is also familiar to Members of this body, as he has testified many times before congressional committee's on the problems faced by our Nation's fishermen.

Born in the State of Colorado, John Royal became a California resident at the age of 4 in 1928. After attending elementary and secondary school in San Pedro, he studied at the U.S. Maritime Officers School, graduating with an ensign's commission and third mate's license.

Following service in the Merchant Marine during World War II, John returned to San Pedro, and became a commercial fisherman in 1946. One year later, he married Rosie Louise Agudo.

John and Rosie are still residents of San Pedro, historically a center for California's tuna fleet.

In 1957, Local 33 of the Fishermen and Allied Workers Union elected John Royal to the post of executive secretary-treasurer, a position he has held to this day. Through his many years as a union official, John has never forgotten who he works for and represents—the men who forage on the high seas as a way of life.

Mr. Speaker, John Royal's integrity, intelligence, and perseverance have been the hallmarks of his highly successful career. I would like to join with the Yugoslav-American Political Action Committee, and his friends in the harbor area and across the country, in honoring John Royal for his many contributions.

His wife, Rosie, and his daughter, Linda Louise, can be justly proud of the recognition John is to receive.

LETTER RECEIVED WITH MONTHLY BILL SHOULD PROVIDE INTERESTING READING

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. HUNGATE. Mr. Speaker, as we consider our important energy problems it may be interesting to consider a letter one of my constituents received along with her monthly bill:

PHILLIPS PETROLEUM Co.,
Bartlesville, Okla.

To our customers:

Americans will face the prospect of higher fuel bills if certain politicians are successful in their drive to break up the so-called integrated oil companies—those engaged in the various phases of the industry, ranging from drilling for oil to marketing petroleum products.

By breaking down the companies into numerous small firms, the proposed "divestiture" scheme would rob them of the efficiency of integrated operation while introducing costly duplication of personnel and functions. The resulting higher operating costs would likely be reflected in higher product prices at the service station pump.

Behind the proposed legislation in Congress is the faulty notion that breaking down the integrated companies would create competition. The fact is that vigorous competition already exists in the industry. There are more than 10,000 producers of crude oil, more than 130 refining companies and more than 15,000 wholesalers of petroleum products competing for business.

Integrated operations aren't peculiar to the petroleum industry. They are found in industries as diverse as food and automobiles. The reasons for organizing a business in this way are to reduce uncertainty of supply and to

increase efficiency, thereby providing products to consumers at lower prices.

Those in Congress who support divestiture legislation are playing a reckless game in weakening the oil industry at the very time when the nation must increase energy supplies. For politicians even to consider such drastic actions makes it difficult to plan long-term investments in multi-million dollar projects such as exploration, refineries and pipelines.

Furthermore, because the many new and smaller companies resulting from divestiture would not have the same capacity to borrow money as the integrated firms, they would not be able to spend as much for energy development. The result of reduced investment, of course, would be reduced supplies for the consumer.

The adverse impact that this type of legislation would have on the nation cannot be overemphasized.

Cordially,

G. J. MORRISON.

DR. EDWARD TELLER APPOINTED TO ARTHUR SPITZER CHAIR OF SCIENCE AND TECHNOLOGY

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. REES. Mr. Speaker, world-renowned scientist Dr. Edward Teller, university professor and associate director of the University of California's Lawrence Laboratory, has been appointed to be the first occupant of the Arthur Spitzer Chair of Science and Technology at Pepperdine University in Los Angeles.

Both Teller and Spitzer adopted this country as naturalized citizens after arriving here with similar European backgrounds. Each man has devoted his life to the development of science and technology for the benefit of their fellow Americans and the world at large.

Dr. Teller has made many significant contributions to the fields of chemistry, molecular and nuclear physics, and quantum theories. He is also known for his work as a physicist in the Manhattan engineer district with the University of Chicago and the Los Alamos Scientific Laboratory during World War II.

He was an early researcher in the studies of thermonuclear reactions and in recent years has attracted attention for his role in the practical application of thermonuclear principles in the development of weapon systems. He has also participated in the development of the Sherwood project, the controlled thermonuclear program, and Project Plowshare, a program concerned with the peaceful uses of nuclear explosives.

Teller is the author of several books, including "Structure of Matter," 1949, "Our Nuclear Future," 1958, "The Legacy of Hiroshima," 1962, and "The Miracle of Freedom," 1972.

Dr. Teller was born in Budapest, Hungary, in 1908. He was educated in Germany at the University of Leipzig, where he received his Ph.D. in 1930. After coming to the United States in 1935 as a professor of physics at George Washington University, Teller became a naturalized citizen in 1941.

Arthur Spitzer, the man responsible for the Science and Technology Chair which was inaugurated at Pepperdine University this year, is an accomplished businessman who has established numerous companies, banks, and savings and loan institutions.

Born in the section of Austria-Hungary which later became Rumania, Spitzer traveled to Germany following World War II, where he worked as a junior department head in the ministry of the interior for the Bavarian Government. In 1951, he came to America to begin a long and successful business career.

Spitzer is well known for his participation in many charitable and educational activities. He is a supporter of the USC-Austrian Student Exchange Program and is a director of the International Student Center at UCLA. In addition, he provided the Edward Teller Center for Science, Technology, and Political Thought at the University of Colorado in 1972.

I take this opportunity, Mr. Speaker, to extend my warm congratulations and heartfelt appreciation to these two men for their continued efforts to use science and technology for the good of all mankind.

EXPLANATION OF VOTES

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. GILMAN. Mr. Speaker, as a member of the House Select Committee on Missing Persons in Southeast Asia that departed on December 18, 1975, for Hanoi to repatriate the remains of three American fliers—Lt. Com. Jesse Taylor, Jr. of California, Lt. Col. Crosley J. Fitton of Connecticut, and Capt. Ronald D. Perry of Tennessee—I was absent when the House deliberated on several important measures. I request at this time, Mr. Speaker, to let the record show how I would have voted on these issues had I been present.

Before our departure for Southeast Asia on Thursday, December 18, I voted on all measures brought before the House on that day with one exception, H.R. 9771—Airport and Airway Development Act Amendments of 1975. I would have voted "Aye" on both the Stanton amendment—as amended by Mr. SNYDER—which prohibits for 6 months supersonic aircraft that exceed the noise levels of FAA regulations from landing at the Dulles and Kennedy Airports, and I would have supported the final passage of the bill.

The following legislation was voted upon by the House on December 19, and I would have voted "Aye" on these measures: House Resolution 843—to suspend the rules and provide concurrence in Senate amendments to H.R. 10284, Medicare Deadline Amendments; House Resolution 944—to consider Senate amendments to H.R. 10727, amending the Social Security Act; rollcall 822—to postpone the Presidential veto of Labor-HEW Appropriations (H.R. 8069) until Jan-

uary 27, 1976; House Resolution 939—to consider reports of the Rules Committee and suspend for remainder of the week the two-thirds vote requirement to consider the reports; House Resolution 945—to provide for meetings on Tuesdays and Fridays during the remainder of the session; H.R. 9968—to amend the Internal Revenue Code dealing with irrigation facilities and indicate a congressional policy with respect to a tax reduction; and the conference report on S. 2718—Railroad Revitalization and Regulatory Reform Act of 1975.

SOCIAL DEMOCRATS, U.S.A., SPEAK OUT AGAINST THE VIOLATIONS OF THE HELSINKI ACCORD BY THE SOVIET UNION

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1976

Mr. KOCH. Mr. Speaker, the Soviet Union is under a grave misapprehension if it believes that it can continue to trample on human rights while reaping the benefits of détente with the United States. All Americans, whatever their political leanings or affiliations, are committed to the protection and expansion of human rights, and the Soviet Union imperils détente whenever and wherever it violates the human rights provision of the Helsinki Accord. Social Democrats, U.S.A. is a vibrant political force which works for social justice here in the United States and around the world. I wholeheartedly endorse and would like to share with my colleagues the statement on Helsinki and Human Rights sponsored by the Social Democrats, U.S.A.:

HELSINKI AND HUMAN RIGHTS

Andrei Sakharov, October 17, 1975—"I am convinced that for every person in the West the demand for a general amnesty, for the guarantees of the rights of man and for freedom of expression in the USSR is not only a matter of conscience, but is also the safeguard of his own and his children's future. Now after the Helsinki Conference such demands are particularly opportune."

The document which 35 nations, including the United States, signed on August 1st at the Helsinki Conference on Security and Cooperation in Europe (CSCE) contained significant human rights provisions calling for the freer flow of ideas and information between East and West. If all the participating countries adhered to these provisions, which would end the enforced isolation of the countries ruled by Communist regimes, the chances for a genuine détente and world peace would be greatly enhanced. Unfortunately, the Soviet Union and its allies have to date given clear indication that they do not intend to abide by the human rights provisions of the Helsinki accord, thus tragically confirming Alexander Solzhenitsyn's characterization of Helsinki as "the funeral of Eastern Europe."

Soviet Communist Party chief Brezhnev declared at the Helsinki conference that "Our common and most important task is to give full effect to these agreements. We assume that all countries represented at the conference will implement the agreements reached.

As to the Soviet Union, it will act precisely in this way." Yet this pledge has already been violated in many ways:

Speaking to an American Congressional delegation on August 15th, Brezhnev said that the human rights provisions of the Helsinki accord were not "of a binding nature" and would only be "fulfilled according to agreement on the part of the states," that is, after additional bilateral negotiations.

On August 7th, Erich Honecker, the head of the East German Communist Party, publicly refused to ease his country's travel restrictions. He observed that for East Germany "security is and remains foremost," but made no attempt to show that security required these very onerous restrictions.

On September 22nd a Soviet Foreign Ministry official declared that the Soviet Union would not permit the circulation of Western publications with ideas "contradictory to Soviet legislation and to the morality of Soviet society." He asked rhetorically: "Is there really anyone in the West who seriously hopes that the socialist countries will sometime allow the 'free circulation' of such 'information' in their society?" The free circulation of Communist ideas is unhampered in the democratic countries of the West.

Czechoslovakia was one of the countries which pledged at Helsinki to "respect human rights and fundamental freedoms, including the freedom of thought." Yet Czech intellectuals have been purged from their jobs and have had their books and manuscripts confiscated by the state. According to Dr. Vilém Precan, a distinguished Czech historian, intellectuals are "treated worse than notorious thieves and violent criminals in other countries."

In isolated cases and only after great international pressure, the Soviet Union has agreed to reunite a family, or permit a marriage between citizens of different states, or to grant multiple entry-exit visas to journalists. In general, all the old restrictions prevail.

The emigration of Jews from the Soviet Union has been slowed to one-half the rate of 1974 and one-third the rate of 1973. Helsinki has not altered this negative trend.

The Soviet Union has chosen to interpret the Helsinki agreement in an arbitrary fashion. It has yielded little or nothing to liberal world opinion. Far from allowing the freer movement of people and ideas, it has taken steps to prevent what KGB chief Yuri V. Andropov has called "ideological sabotage" from the West. It has blatantly applied a double standard in interpreting that section of the accord it regards as "binding"—the part dealing with noninterference in the affairs of other states. It has denounced West Europeans for withholding economic aid from Portugal pending assurances that the will of the people would be respected. Yet it has intervened extensively in Portugal and has declared its "massive solidarity" with the Portuguese Communists who have systematically tried to subvert democracy in that country.

One of the dangers of the Helsinki "agreement" was that it might create the illusion of security in the West and foster unrealistic hopes for more open relations with the East. Sadly, it has become apparent that Europe is no more secure after Helsinki than before, and that the peoples of Eastern Europe and the Soviet Union remain isolated and cut off from any genuine contact with the West. Such contact must remain a prime objective of American policy. But it will not be achieved by agreements which exchange the tangible recognition of Soviet domination over peoples for the intangible hope that the Russians will someday deal more humanely with their subjects. The West should not give concessions to Moscow, whether political or economic, without firm and "binding" guarantees that Moscow will give something in return.

(Since this statement was drafted, the Soviet authorities have denied Andrei Sakharov the right to travel to Oslo, Norway, to accept the Nobel Peace Prize. This is the most blatant violation to date of the spirit of the Helsinki accord.)

INTERNATIONAL WOMEN'S YEAR

HON. JOHN BRADEMÁS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1976

Mr. BRADEMÁS. Mr. Speaker, I insert at this point in the Record a statement entitled, "International Women's Year," by Irene Tinker, Program Head, Office of International Science, American Association for the Advancement of Science, as published in the December 26, 1975 issue of Science, the publication of the American Association for the Advancement of Science.

The article follows:

INTERNATIONAL WOMEN'S YEAR

(By Irene Tinker)

International Women's Year (IWY) is nearly over, having had little serious notice from the world press. Even its centerpiece, the United Nations conference held in Mexico City in June, has come and gone with little recognition of what was a remarkable triumph of women over political self-interest. Like many U.N. meetings, the IWY conference was dominated by the world split over the new international economic order. Originally, Mexico and like-minded countries were arguing that no change could be granted to women until new structures for the world economy were in place. The United States and its supporters were arguing that any mention of the new economic order might require the U.S. delegation to vote against any World Plan of Action for women. Neither position was popular with the women conferees, among whom there was impressive unanimity concerning the import of the World Plan.

The 45-page plan is designed to supply guidelines for governmental and international actions to provide equality for women in education and employment. High among the goals for the Women's Decade 1975-85 is the reduction of illiteracy, 40 percent of all women are now illiterate, compared to 28 percent of all men. The right of women to have access to birth control information and methods was seen as an essential ingredient for equality. A concern that development programs tend to focus on men and ignore women's contribution to economic activity led to adoption of a special resolution recommending that all development programs contain a statement of the impact they would have on women. A call for improved statistics on women's work, especially in agriculture and in the informal sector, is also part of the plan.

A beginning at accumulating the necessary data for reappraising development programs was made at the AAAS-sponsored Seminar on Women in Development, which preceded the official conference. The seminar concluded that women generally find their economic position undermined; as development proceeds in subsistence economies they are left in primitive agriculture or pushed out of the market; in more developed economies the expansion of education creates heightened competition for jobs and pushes women back into the home. In all societies, households headed by women are the poorest of the

poor, studies now suggest that one of every three households is headed by a woman, a fact ignored by world planners.*

In Mexico City, while political issues threatened to bog down the 2-week conference, delegates introduced 889 amendments to the plan. Working groups had time only to go through the amendments to the introduction and first section. Spontaneously, several delegations suggested that the draft Plan of Action for the remainder of the sections be accepted as it stood. Thus, on the closing days of the conference, countries accepted the World Plan of Action by consensus. It is unique for governments to accept a world plan without thorough discussion and consideration of amendments. It would appear that the women forced the hand of their countries in this regard.

The U.N. General Assembly is now considering an omnibus resolution, which includes the World Plan, the Declaration of Mexico, in which political positions were stated; and the 35 resolutions adopted in Mexico City. A significant paragraph calls for the creation of an international institution of research and training for the advancement of women, expected to be established in Iran in recognition of its financial support to the IWY. A Nigerian resolution recommends special financial assistance to women, another issue that many felt needed particular emphasis.

The women of the world have stated their needs. It is now up to individual nations to consider the impact of their development plans on women, the better to understand the consequences and to ameliorate women's position during the International Women's Decade.

UKRAINE CELEBRATION

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. RINALDO. Mr. Speaker, this Thursday, January 22, marks the 58th anniversary of the proclamation of independence by Ukraine and the 57th anniversary of the Act of Unions. This celebration becomes more and more important with each passing year as the totalitarian and destructive policies of the Soviet Union continue to repress the Ukrainian people.

More importantly, the solidification of support around the world for the Ukrainian people demonstrates that no matter how long the dictatorships last in Moscow, the Ukrainian people will not be cowed into submission. Stalin could not intimidate them, nor could Khrushchev. But the Communists, under Leonid Brezhnev and Alexi Kosygin, continue the persecutions. From 1970 through 1973, the KGB arrested some 600 Ukrainian intellectuals under suspicion of conducting "anti-Soviet propaganda and agitation."

* Two volumes will shortly appear as a result of the AAAS seminar. They will be published by the Overseas Development Council, 1717 Massachusetts Avenue, NW, Washington, D.C. 20036. Volume 1 will contain an overview of the results of the workshops, and 12 background papers. Volume 2 will be an annotated bibliography of works in the field, with emphasis on unpublished sources.

Valentyn Moroz, one of these intellectuals, is a courageous 40-year-old historian who has become a symbol of the determination of the Ukrainian people not to buckle to the tortures and cruelty of the Muscovite regime. His fortitude demonstrates the great strength of the Ukrainian people and is an example to us all of the need to fight tyranny with the last ounce of our strength.

Now, as the Soviet Union attempts to broaden its sphere of influence to Angola, I must remind my colleagues and all citizens in the United States that there are independent countries—among them the Ukraine—which, due to overpowering brutal force on the part of Russia, have had to submit to the yoke of despotism. But, though the first battle may have been lost, they continue to wage the war.

They need and deserve our support. And I know the citizens of the United States stand behind them in their fight and will continue to join with all free Ukrainians every January 22 to celebrate this important occasion.

ELZIE E. BAIRD

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. SHRIVER. Mr. Speaker, during the congressional recess one of the tireless and dedicated community leaders and pioneers of Wichita, Kans., Mr. Elzie E. Baird, died. He was a valued friend and loyal supporter of mine. He loved his community and demonstrated this through a career of public service. Mr. Baird gave his time freely to deserving causes. He was not afraid to take a stand, and you always knew where Elzie Baird stood. He was interested in quality education, and served on the Wichita Board of Education during a time of considerable expansion. He also was elected to serve on the Wichita Board of City Commissioners and served as mayor for 2 years. We will miss Mr. Baird in Wichita and in Kansas, and I extend my heartfelt sympathy to Mrs. Baird and his family.

Under leave to extend my remarks in the RECORD, I include the following editorial from the Wichita, Kans., Beacon which highlights the remarkable record of service of Mr. Baird:

[From the Wichita Beacon, Dec. 17, 1975]

ELZIE E. BAIRD

Elzie E. Baird, who died last week, was at once a successful businessman and a devoted public servant.

A native of Wichita, Mr. Baird was graduated from Fairmount College (now WSU) and joined a wholesale grocery firm, where he eventually became vice president and general manager. He worked there for 44 years, contributing greatly to its success.

During this time he was active in civic affairs, serving as president of the Chamber of Commerce, member of the Wesley Hospital board of trustees and of the advisory board of Wichita Children's Home.

At the same time he served three terms on the board of education and was president of that body in 1949. While he was on the board

the school system underwent the greatest expansion in its history.

He also was a member of the city commission during the colorful era of the late 1950s, and was mayor in 1957-58. He never avoided controversy, and always followed the course he believed to be proper and in the best interests of the community. Frequently his was the voice that resolved impasses between warring factions. His influence upon this community was a significant one.

THE 60TH ANNIVERSARY OF JULIA ANN SINGER PRESCHOOL PSYCHIATRIC CENTER

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. REES. Mr. Speaker, on February 24, 1976, the Julia Ann Singer Preschool Psychiatric Center will celebrate its 60th anniversary of service to young children and their families in the Los Angeles community.

During these past 60 years, the program has evolved into a nationally recognized treatment center for emotionally and developmentally preschool children and their families.

The center traces its beginning to 1916 when a group of concerned women formed an incorporated alliance in Los Angeles to care for the children of working mothers. By 1924, the program evolved into a residential center for orphans as well as a day nursery. Then, in 1935, through the generosity of Mrs. Sara Singer, a day nursery building was erected in Boyle Heights. The center was named in memory of her daughter, Julia Ann Singer.

Years later, as community needs changed, a survey was conducted. It pointed to the pressing need for a care center for emotionally disturbed preschool children. Plans were effected for an affiliation with the Department of Psychiatry at the Cedars of Lebanon Hospital, and in 1963 the name of the agency was changed to the Julia Ann Singer Preschool Psychiatric Center.

In January 1965, Dr. Frank S. Williams became the medical director of the agency and has guided the innovative program ever since.

With the help of the Julia Ann Singer Board of Directors and the Cedars-Sinai professional staff, the agency program was expanded to incorporate many of the techniques and family approaches of the Department of Child Psychiatry. In 1967, the Julia Ann Singer Center adopted a short term—from 3 to 6 months—psychoeducational therapy approach to treatment. In the summer of 1973, the agency became integrated within the child psychiatry section of the Thaliens Community Mental Health Center at the new Cedars-Sinai Medical Center.

The approaches used at the Julia Ann Singer Center for meeting the needs of the emotionally disturbed child involve parent participation. The goal is to create, in as brief a time as possible, a

community environment in which the child can function in a normal manner—attend a regular school, and benefit from corrective intervention by his parents, teachers, and other significant people around him. This is done not only through direct treatment of the child, but also by providing on-the-job training experiences to those who will have immediate and prolonged contact with the child, within his family.

Although staff at Julia Ann Singer is made up of a dedicated group of fine teachers and therapists, the prevailing philosophy is that the most important "therapist" or "teacher" any disturbed child can have is his parent. Parents are immediately involved in training to develop skills for the direct treatment of their children to improve the child's lot within his family and community life. This training encompasses every level of treatment modality used at the center—crisis intervention, therapeutic nursery school experience, family demonstration therapy, parent education groups, community liaison consultations, perceptual-motor retraining, speech and language development, and many others. Many parents after leaving Julia Ann Singer, continue to work with incoming parents by volunteering their time to the center in a wide variety of ways, traditionally restricted to paid professional staff.

In September 1975, the unique playground was dedicated. The playground was especially designed to aid in body activities difficult for emotionally or psychologically handicapped children. It was also created to develop fantasy play, another way of learning and preparing for life for the children.

A nationally respected model for short-term psychoeducational programs for preschoolers, the Julia Ann Singer Center now operates a training program for students, teachers, and others working with disturbed children. The program operates under a Federal grant from the Office of Education for the Handicapped—HEW. The Julia Ann Singer Center also serves under Federal grants as a training model for other such programs that work with disturbed preschoolers throughout the country.

The program receives support from various organizations including the Friends of Julia Ann Singer, the Julia Ann Singer Associates, the United Way, the Jewish Federation Council, and the aforementioned U.S. Office of Education.

Gin Maass, who is now the head teacher and training supervisor, has been with the Julia Ann Singer Center for 15 years. Earl Jones, now project coordinator director and in-service trainer, has been with the project 10 years.

The parent volunteer program devised and begun by the capable staff has attracted major attention, receiving an Edna Reiss Award in November 1975.

The Julia Ann Singer Preschool Psychiatric Center program is one of seven selected nationwide to be presented in the book "Mental Health Programs for Preschool Children: A Field Study" by Raymond Glasscote and Michael E. Fishman. This is a publication of the joint

information service of the American Psychiatric Association and the National Association for Mental Health.

THE AMERICAN FREEDOM TRAIN

HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. LLOYD of California. Mr. Speaker, visiting the American Freedom Train in my home State of California, over the holiday vacation period, was such a rewarding experience that I want to share it with my colleagues.

I am proud of taking part in a Bicentennial tribute to the Nation that has the scope, sensitivity, and sincerity presented by the American Freedom Train exhibit. This is a first-rate showcase of many of the Nation's historic treasures.

It is a privilege to be one of the estimated 8 million persons, throughout the Nation, who will be seeing this fascinating multimedia presentation of 200 years of U.S. art, entertainment, exploration, government, inventions, literature, science, sports, and transportation represented on the train.

A moving walkway, attesting to America's technological progress took me through 10 exhibit cars displaying items ranging from Thomas Paine's rebellious pamphlet "Common Sense" (1776), to Benjamin Franklin's handwritten draft of the Articles of Confederation, published in 1777. Although this document was never used, it provided the basis of a national government and was a preview of the Constitution.

Another historic document on display of that period is George Washington's personal copy of the report of the Committee of Detail when the Constitutional Convention met in Philadelphia from May 25 to September 16, 1787. Washington's copy dated 1787, contains his personal marginal notes.

The "Golden State" is well represented among the distinguished list of 285 lenders from 110 cities in 35 States, Puerto Rico, and the District of Columbia.

Viewing items from the Los Angeles area, alone, was well worth my visit to the train. Memorabilia from LA lenders included an 1859 poem written by Henry Wadsworth Longfellow; notes on brown paper that were written by Thomas Edison; Julia Ward Howe's stirring poem that we sing today as "The Battle Hymn of the Republic" and countless items reflecting the world of entertainment.

One of the original display items that struck me as particularly significant as we celebrate America's birthday, was the Freedom Bell. Specially cast for the Freedom Train exhibit, the bell is on display in one of the glass-enclosed showcase cars. It is a gift to the Nation's children from the American Legion. The Liberty Bell is twice the size of the Freedom Bell, symbolizing 200 years of American independence.

Having run successfully through 1975, the American Freedom Train will be

making stops in towns and cities until December 1976 with a final exhibit in Miami, Fla.

For the benefit of my colleagues who may wish to visit the train at some future date, I include in the RECORD the following tentative 1976 schedule of Freedom Train stops:

THE AMERICAN FREEDOM TRAIN FOUNDATION:
TENTATIVE SCHEDULE, 1976

CITY AND STATE, DAY AND DATE

Santa Barbara, California, Fri., Jan. 2—Sun., Jan. 4.
Long Beach, California (6 pm), Mon., Jan. 5—Thu., Jan. 8.
Anaheim, California (2 pm), Fri., Jan. 9—Tue., Jan. 13.
San Diego, California (2 pm), Wed., Jan. 14—Sun., Jan. 18.
San Juan Capistrano, California (12 pm), Mon., Jan. 19—Tue., Jan. 20.
Yuma, Arizona, Thu., Jan. 22—Fri., Jan. 23.
Tempe (Phoenix), Arizona (4 pm), Sat., Jan. 24—Wed., Jan. 28.
Tucson, Arizona (6 pm), Thu., Jan. 29—Sun., Feb. 1.
Albuquerque, New Mexico, Tue., Feb. 3—Thu., Feb. 5.
Odessa, Texas (12 pm), Sat., Feb. 7—Mon., Feb. 9.
San Antonio, Texas (6 pm), Wed., Feb. 11—Sat., Feb. 14.
Austin, Texas (6 pm), Sun., Feb. 15—Tue., Feb. 17.
Houston, Texas, Thu., Feb. 19—Tue., Feb. 24.
Fort Worth, Texas, Thu., Feb. 26—Sat., Feb. 28.
Dallas, Texas (12 pm), Sun., Feb. 29—Thu., Mar. 4.
Wichita Falls, Texas, Sat., Mar. 6—Mon., Mar. 8.
Oklahoma City, Oklahoma, Wed., Mar. 10—Sun., Mar. 14.
Tulsa, Oklahoma (6 pm), Mon., Mar. 15—Thu., Mar. 18.
Wichita, Kansas (6 pm), Fri., Mar. 19—Tue., Mar. 23.
Topeka, Kansas (6 pm), Wed., Mar. 24—Fri., Mar. 26.
Kansas City, Kansas (12 pm), Sat., Mar. 27—Tue., Mar. 30.
Jefferson City, Missouri (6 pm), Wed., Mar. 31—Fri., Apr. 2.
St. Louis, Missouri (12 pm), Sat., Apr. 3—Sun., Apr. 11.
Little Rock, Arkansas, Tue., Apr. 13—Thu., Apr. 15.
Memphis, Tennessee (6 pm), Fri., Apr. 16—Wed., Apr. 21.
Jackson, Mississippi, Fri., Apr. 23—Sun., Apr. 25.
Baton Rouge, Louisiana, Tue., Apr. 27—Thu., Apr. 29.
New Orleans, Louisiana (6 pm), Fri., Apr. 30—Thu., May 6.
Mobile, Alabama, Sat., May 8—Mon., May 10.
Tallahassee, Florida, Wed., May 12—Thu., May 13.
Columbus, Georgia, Sat., May 15—Mon., May 17.
Macon, Georgia (6 pm), Tue., May 18—Thu., May 20.
Atlanta, Georgia (6 pm), Fri., May 21—Thu., May 27.
Birmingham, Alabama, Sat., May 29—Tue., June 1.
Huntsville, Alabama (6 pm), Wed., June 2—Fri., June 4.
Chattanooga, Tennessee (12 pm), Sat., June 5—Mon., June 7.
Nashville, Tennessee, Wed., June 9—Sun., June 13.
Louisville, Kentucky, Tue., June 15—Thu., June 17.

Charleston, West Virginia, Sat., June 19—Mon., June 21.
 Pittsburgh, Pennsylvania, Wed., June 23—Mon., June 28.
 Washington, District of Columbia, Wed., June 30—Mon., July 5.
 Baltimore, Maryland, Wed., July 7—Mon., July 12.
 New York Grand Central, Wed., July 14—Tue., July 27.
 New York Nassau County, Thu., July 29—Mon., Aug. 2.
 New York Westchester County, Wed., Aug. 4—Sun., Aug. 8.
 Hartford, Connecticut, Tue., Aug. 10—Thu., Aug. 12.
 Providence, Rhode Island, Sat., Aug. 14—Mon., Aug. 16.
 Poughkeepsie, New York, Wed., Aug. 18—Thu., Aug. 19.
 Newark, New Jersey (12 pm), Sat., Aug. 21—Mon., Aug. 23.
 Northern New Jersey (12 pm), Tue., Aug. 24—Thu., Aug. 26.
 Bethlehem, Pennsylvania (12 pm), Fri., Aug. 27—Sun., Aug. 29.
 Trenton, New Jersey (6 pm), Mon., Aug. 30—Wed., Sep. 1.
 Asbury Park, New Jersey (6 pm), Thu., Sep. 2—Mon., Sep. 6.
 Scranton, Pennsylvania, Wed., Sep. 8—Fri., Sep. 10.
 Williamsport, Pennsylvania (12 pm), Sat., Sep. 11—Mon., Sep. 13.
 Harrisburg, Pennsylvania (6 pm), Tue., Sep. 14—Thu., Sep. 16.
 Philadelphia, Pennsylvania (6 pm), Fri., Sep. 17—Thu., Sep. 23.
 Richmond, Virginia, Sat., Sep. 25—Tue., Sep. 28.
 Norfolk, Virginia, Thu., Sep. 30—Sun., Oct. 3.
 Roanoke, Virginia, Tue., Oct. 5—Thu., Oct. 7.
 Raleigh, North Carolina, Sat., Oct. 9—Tue., Oct. 12.
 Winston-Salem, North Carolina, Thu., Oct. 14—Sun., Oct. 17.
 Charlotte, North Carolina, Tue., Oct. 19—Thu., Oct. 21.
 Columbia, South Carolina, Sat., Oct. 23—Tue., Oct. 26.
 Charleston, South Carolina, Thu., Oct. 28—Sun., Oct. 31.
 Savannah, Georgia, Tue., Nov. 2—Thu., Nov. 4.
 Jacksonville, Florida, Sat., Nov. 6—Tue., Nov. 9.
 Gainesville, Florida, Thu., Nov. 11—Fri., Nov. 12.
 Ocala, Florida (12 pm), Sat., Nov. 13—Sun., Nov. 14.
 Orlando, Florida, Tue., Nov. 16—Thu., Nov. 18.
 Lakeland, Florida (6 pm), Fri., Nov. 19—Mon., Nov. 22.
 Tampa, Florida, Wed., Nov. 24—Mon., Nov. 29.
 St. Petersburg, Florida (12 pm), Tue., Nov. 30—Thu., Dec. 2.
 Sarasota, Florida, Sat., Dec. 4—Mon., Dec. 6.
 Palm Beach, Florida, Tue., Dec. 8—Fri., Dec. 10.
 Boca Raton, Florida (12 pm), Sat., Dec. 11—Mon., Dec. 13.
 Fort Lauderdale, Florida (6 pm), Tue., Dec. 14—Sun., Dec. 19.
 Miami, Florida, Tue., Dec. 21—Thu., Dec. 30.

* Florence, S.C., will be included at this point and assigned dates as soon as technical research has been completed.

U.S. INVOLVEMENT IN ANGOLA

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. DOWNEY of New York. Mr. Speaker, in recent weeks, the civil war in Angola has taken on serious international implications and this country's involvement in that crisis seems more unfortunate with each passing day.

In view of the fact that this area is of little strategic importance to the United States, we cannot afford—morally or financially—to send millions of dollars in military aid to Angola. Instead, it seems to me that the best option is to encourage and promote negotiations to peacefully end the conflict.

An editorial aired on December 17 by WGSM, a Long Island radio station, describes very succinctly, I believe, the current situation in Angola. As I feel that it would be of value to my colleagues, I include it in the RECORD at this point. The editorial follows:

ANGOLA

Angola . . . it's a former Portuguese colony in Africa. There's a Civil War going on there, now. You might not have heard of it, but your government has. It's been reported that \$50 million worth of American arms are flowing to one of the sides in that Civil War and the reports haven't been denied by anyone in the United States government. American armaments started going to Angola last July. The Assistant Secretary of State in charge of Africa has quit. The reason's reported to be a disagreement with Secretary of State Kissinger who rejected a diplomatic solution to the Angolan Civil War and pushed for C.I.A. weapons shipments, instead.

What's it all mean? It means they're at it again. It means the government arrogance of the Nixon years isn't over. It means, during the period Congressional investigations were revealing assassination plots, spying on American citizens and the overthrowing of the legal government of Chile by the C.I.A., that non-elected government officials, like William Colby and Henry Kissinger, authorized secret weapons shipments to a tribe of Africans in Angola, backed by the segregationist South African government; that this was all done without the permission or even the knowledge of Congress.

It means that the C.I.A., whose job is the gathering of intelligence overseas, is again acting like a government within a government, setting foreign policy, promoting tension and confrontation between the world's major powers for who knows if Russian arms shipments and Cuban technicians are, or are not, a reaction to earlier American military aid.

The Constitution gives the Congress the sole right to declare war and approve treaties. The framers of the Constitution didn't have a C.I.A. to contend with, but their intent was clear. Even the President, although elected by the people, cannot make an alliance or declare war. He can only ask for a treaty ratification or a declaration of war. These are such important acts that the entire Congress were the only ones given this authority.

When a Kissinger or a Colby decides to support one warring faction over another, and send them weapons, they are involving the United States in an alliance and a war. They are taking secret actions that could lead directly to American participation of the sort we saw in Vietnam. What they are doing is arrogant and illegal and if Congress

doesn't stop them dead in their tracks, in Angola, we will never again own our government; we will never again know that only we, the people, decide such important matters through our elected representatives.

BRITISH SOCIALISTS ARE LOOKING BACK TO PROFITS!

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. CRANE. Mr. Speaker, by any standard—political, economic, or social—Great Britain is in real trouble. Militant labor unions, many of which openly proclaim their hostility to free enterprise, have a stranglehold on the economy, and as a result the economy is stagnating. Terrorists have stepped up their bombing and killing, yet the Government refuses to reinstate capital punishment in such cases. Doctors are rebelling against socialized medicine, and a strike by physicians has left millions without proper care. Everywhere one looks in England, the situation is bleak.

In an important book, "Can Britain Survive?", two distinguished Englishmen—D. E. Bland and K. W. Watkins—pose the question this way:

Can Britain survive as a democratic state? Some will dismiss this question as alarmist, and many would prefer that it were not raised at all; yet as we approach the last quarter of the twentieth century we have to admit that an increasing number of people see beyond the immediate economic difficulties to the deeper questions which will arise if the problems continue and intensify.

Americans should carefully observe events in England. If labor unions are out of control in England, they are surely moving in precisely the same direction here. If socialized medicine is making it increasingly difficult to obtain proper medical care, there are many here who wish to emulate this unsuccessful program. If terrorist violence becomes more rampant, and leniently dealt with, we face precisely the same problem—and meet it in exactly the same lenient manner.

Fortunately, some in England seem about to learn some important lessons from the current plight of the country. The British Labour Party only recently announced a new economic program of giving priority to industrial development over consumption—or social objectives. It proposes to spur management to expand and innovate with a goal of high output and corporate earnings.

The laws of economics are the same, whether one calls himself a socialist or a capitalist. If initiative is stifled, growth will stop. If labor unions coerce wage settlements which are based on political muscle and not on economic reality, chaos will finally reign.

Discussing the Labour Party's seemingly altered view of economic reality, the Baltimore Evening Sun points out that the new program—

. . . was not written by a consortium of corporate boards . . . but by the Labour government in consultation with both man-

agement and unions. That all three groups could agree on the overriding need to stimulate private industry—and nationalized industry on a profitmaking basis—is a measure of the desperate straits in which Britain finds itself.

I wish to share with my colleagues the editorial, "Back to Profits," as it appeared in the Baltimore Evening Sun of November 7, 1975, and insert it into the RECORD at this time:

BACK TO PROFITS

The British Labor government's new economic program sounds almost as if it might have been written by the National Association of Manufacturers. It talks of "giving priority to industrial development over consumption . . . or social objectives." It proposes to "spur management to expand and innovate" with a goal of high output and high corporate earnings. Prices are to be allowed to rise to achieve this and even nationalized industries are to be operated as profit-makers and judged by how they roll up the pounds.

And where does this leave the worker, the trades union man or woman on whom the Labor party's strength is based? He is still bound by the wage increase ceiling of an arbitrary \$12 a year, far below the 30 per cent average annual increase he has been enjoying. And the clear threat of greater unemployment, perhaps 50 per cent higher in the coming year, is accepted. The primary goal is to be greater efficiency: "Technological improvements in productivity may mean that as modernization proceeds, the same or larger output can be produced with a smaller work force."

The program was not written by a consortium of corporate boards, however, but by the Labor government in consultation with both management and unions. That all three groups could agree on the overriding need to stimulate private industry—and nationalized industry on a profit-making basis—is a measure of the desperate straits in which Britain finds itself.

The crisis has been clear for some time and the Labor government has at last faced up to the fact that, welfare state or not, the country could not go on consuming more than it produced. How effectively Prime Minister Wilson's government will be able to put these new priorities into effect is uncertain; the details of the program remain to be spelled out. But there is no mistaking the dramatic and enormous shift in emphasis, the welcome recognition, however painful, of certain economic realities that the Labor party had long ignored.

ANNOUNCEMENT OF HEARINGS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. EDWARDS of California. Mr. Speaker, I wish to announce that the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary has rescheduled its hearings on the abortion constitutional amendments. The hearings are now scheduled to take place on February 4 and 5, 1976, at 9:30 a.m., in room 2237 of the Rayburn House Office Building. Witnesses will include constitutional and other legal scholars and lawyers who are active in current litigations in the field.

GREEK CYPRIOTS MERIT OUR SUPPORT OF JUSTICE AND EQUITY IN PEACE NEGOTIATIONS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. McCLORY. Mr. Speaker, during the recent congressional recess I had occasion to confer with a number of my constituents who are leaders of the prestigious and patriotic organization of AHEPA. These citizens, who are leaders of this Greek-American group, expressed compassion and concern for the citizens of Cyprus—particularly the Greek Cypriots, many of whom have been driven from their homes and businesses by reason of the armed might of the Turkish military forces.

Mr. Speaker, the best interests of our nation will be served by finding a peaceful and equitable solution to the tragedy which has befallen Cyprus. In endeavoring to support a climate in which both Turkish and Greek Cypriots may discuss fairly and freely the elements which must enter into an enduring peace, we must indeed be satisfied that the Greek Cypriots are not compelled to negotiate "under the gun"—so to speak.

Mr. Speaker, I gave assurance to my AHEPA constituents and friends that I would articulate my position in this behalf, both in this Chamber and in a communication to our distinguished Secretary of State. In compliance with those assurances, I am attaching to these remarks the text of my recent communication to Secretary of State Kissinger, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 12, 1976.

HON. HENRY A. KISSINGER,
Secretary of State,
U.S. Department of State,
Washington, D.C.

DEAR MR. SECRETARY: In connection with the critical problem of Cyprus, I met recently with a number of my constituents who are leaders in the organization of AHEPA. These highly respected constituents are Americans of Greek or Cypriot origin or descent and have a special interest in assuring equity and a just and enduring peace on the ancient island of Cyprus.

Because a substantial part of the island is presently occupied by Turks and Turkish Cypriots, and by a large number of Turkish troops, the settlement negotiations could conceivably be influenced by this military dominance. Any so-called bi-zonal settlement should permit a return of territory to the Greek Cypriots including substantial portions of the arable and productive lands, as well as the tourism areas formerly inhabited by the Greek Cypriots. The homes, businesses and lands should be restored to the rightful owners under such an arrangement.

It would also seem consistent with our American policy to oppose the sale or shipment of any or all arms to Turkey which might under any circumstances be transshipped or used in Cyprus or against Greek or Greek Cypriot interests in Cyprus.

At the recent meeting which I had with the AHEPA leaders in Waukegan, Illinois, I gave assurances of my active support of the positions which I am thus communicating

to you. I hope indeed that as the representative of our nation you will be advancing these positions to the end that the Turks and Turkish Cypriots may be induced to negotiate fairly and equitably with the Greek Cypriots for a complete and enduring peaceful settlement of the complex and persistent Cyprus problem.

In this same meeting, I called particular attention to the importance of promoting an atmosphere among our Greek and Turkish allies in NATO which can enable our nation to assist in the process looking toward a negotiated peaceful settlement of the Cyprus conflict.

It is my hope to visit Cyprus within the next several months to gain some firsthand knowledge of existing conditions there—particularly with reference to the refugee problem over which my House Judiciary Committee exercises legislative and oversight jurisdiction.

I will appreciate your cooperation in this respect and would add also my desire to be of every possible assistance to you and to your office consistent with the views expressed here.

Sincerely yours,

ROBERT McCLORY,
Member of Congress.

PICKING CANDIDATES

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. YOUNG of Florida. Mr. Speaker, as we enter a new year, a Presidential election year, WTVT of Tampa-St. Petersburg, Fla., a television station serving my district, has provided me with an editorial which I believe is worthy of consideration by our colleagues and also our voters:

PICKING CANDIDATES

As we move into a new year, our attention will be fixed on what looks to be a lively presidential campaign in both major parties. We'll be hearing a lot of promises and nice-sounding words, but probably not many specific solutions to our many problems. The founder of the citizen's lobby called Common Cause . . . former cabinet member John Gardner . . . has come out with some advice for voters we think is pretty sound. While Common Cause is generally considered somewhat on the liberal side, Gardner takes an objective view in this comment. He warns us against people who simply run against government, taking advantage of peoples' fears and disillusionment. But he also warns against what he calls, in his words, "The liberal illusion that federal aid per se solves problems" . . . the idea that all we have to do is spend more dollars and pile program on program. He makes a pitch for effective but stripped-down governmental machinery.

Americans seem to have a natural distrust of government, especially at the national level, which is healthy in some ways. But we should remember that government does have a purpose. It is there to serve us. We should be just as careful about piling on so many restrictions that it can't do its job as we are about letting it run out of control. Gardner suggests what he calls a "sunset law," under which all federal programs would have to justify their existence every once in a while, or face reduction or even termination. And he suggests we make the Presidential candidates talk plainly and specifically about what

they intend to do about the problems we face. Vague, general promises to improve services while cutting taxes should not satisfy serious voters.

THE REAL REASON FOR BUSING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. RANGEL. Mr. Speaker, the rhetoric in this election year is heating up on the subject of court-ordered busing. As I have always stated, I believe that most Americans are against discrimination and that they accept the fundamental constitutional provision prohibiting it. Any child, white or black, has a right to be free from discrimination in our public schools. Thus he has a right to a desegregated education, not just occasionally, not in only one or two grades, but all along the educational road.

The equal protection clause of the 14th amendment requires that discrimination be done away with—whatever the source.

The issue of busing is a smokescreen behind which some hope to hide the failure by generations of school boards, taxpayers, and legislators to mandate and fund quality education for all children everywhere in this Nation.

The basic question of equal opportunity has been senselessly transformed for political reasons into one of race by paranoid visions of minority children wrecking suburban school buildings, or mugging suburban children. The racial aspects must be considered, however, because many of the voices now so plausibly raised in opposition to busing their own children were strangely silent for decades as black children were bused away from their neighborhoods to segregated schools with inferior teachers and supplies.

In this election year it is imperative that the American people recognize the real reason the courts are ordering busing of school children is to obey the Constitution.

The past director and general counsel of the U.S. Commission on Civil Rights, Howard A. Glickstein, has succinctly outlined the true purpose of busing in a recent letter to the editor of the New York Times. I urge my colleagues in Congress to read what Mr. Glickstein has written before the political rhetoric heats up even more:

[From the New York Times, Jan. 2, 1976]
BUSING: "TO RECTIFY ILLEGAL CONDUCT"

TO THE EDITOR: Norman D. Arbaiza's harangue against "The Legislating Judges" (letter Dec. 20) involves a basic misunderstanding of the judicial process. Almost any constitutional decision requires the judiciary to interpret and define some broad provision of our Constitution—a Constitution written deliberately to withstand changing times.

The Supreme Court did not write new law in *Brown v. Board of Education*. It merely interpreted the broad equal-protection guarantees of the Fourteenth Amendment. This is not "legislating." Should the country or the Congress disagree with the Court's interpretation of the Constitution,

it is possible to invoke the legislative process to amend the Constitution.

But what is most troublesome about Mr. Arbaiza's letter is not his jurisprudential fallacies but his total failure to understand what the busing controversy is all about.

He complains about the "obligatory transportation of children solely for the purpose of achieving racial integration"—something that no court ever has ordered. (I wonder where Mr. Arbaiza was when children were being transported solely to maintain racial segregation.) Courts order busing only when they find that schools have been deliberately segregated. Integration is *not* the purpose; the purpose is to rectify illegal conduct.

In Boston, for example, Judge Garrity acted only after an extensive trial convinced him that Boston school officials had "knowingly carried out a systematic program of segregation affecting all of the city's students, teachers and school facilities and . . . intentionally brought about and maintained a dual school system. . . . the entire school system of Boston is unconstitutionally segregated." This is the crime that has been committed in Boston and this is the crime for which Judge Garrity has been trying to fashion a remedy.

Mr. Arbaiza also opposes busing because it will require sending "children to dangerous, crime-ridden ghetto schools" and means that children will be "taken out of a safe, clean school and sent to a place of danger." But the way to deal with this problem is not to oppose busing but to fight the intolerable conditions to which Mr. Arbaiza refers.

Should any child in America go to a school that is not safe and clean, that is a place of danger? What kind of people are we that would tolerate such conditions? Arguments such as these reveal the negativism and insensitivity of many of the opponents of busing. They obstruct, they oppose, they obfuscate, but they fail to offer any constructive proposals to insure that all of our children receive decent education in safe and clean schools.

HOWARD A. GLICKSTEIN.

PRaise FOR PRESIDENTIAL APPOINTMENT

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. SIMON. Mr. Speaker, I was pleased recently to learn that President Gerald Ford has named a longtime friend, Peter B. Bensinger, to head the Drug Enforcement Administration.

I have seen Pete Bensinger operate in a variety of capacities and do each job he has undertaken well.

He will vigorously pursue the problems which affect this Nation in the drug field, but I can assure my colleagues that he will do it with a sensitivity in the field of civil liberties also.

I have every reason to believe that in the years to come as President Gerald Ford looks back on the appointments that he has made, that he will view the appointment of Peter Bensinger as one of his finest. I congratulate the President; I congratulate Pete Bensinger; but most of all, I congratulate the American people for having the good fortune to have Pete Bensinger in this position of responsibility.

REGULATORY REFORM ACT OF 1976

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. WHITEHURST. Mr. Speaker, I am introducing today the Regulatory Reform Act of 1976, which I believe will provide the necessary authority to implement badly needed reforms of our Federal regulatory agencies. This legislation has recently been introduced in the Senate by Senator PERCY and Senator ROBERT C. BYRD. I am hopeful that both the House and the Senate will act expeditiously on this legislation so that we can develop a less burdensome and more efficient Federal regulatory structure.

Calls for regulatory reform are not new. Every President for the past two decades has suggested some type of reform. However, with the severe downturn of our economy in recent years, more serious and intense attention has been paid to the tremendous adverse impact that these Federal regulatory agencies have on our economy. Increasingly, Members of Congress and the executive branch have come to realize that the outmoded and misguided policies of these agencies stifle competition, inflate prices, and smother businessmen with needless paperwork. Estimates of the costs of Government regulation to the American people have ranged from \$60 billion a year up to as high as \$130 billion a year. Consumers carry the dual burdens of higher taxes and higher prices to support policies which do them no good.

Additionally, regulations impede the tremendous productive power of the American economy. Increasingly, the American people are coming to understand that Government must start restoring competition and removing market constraints. If we expect the economy to get better and stay that way, we must strip the wet blanket of unnecessary Government regulation from its back.

Not only does the present regulatory system stifle free enterprise, but the overlap and duplication of the multitude of agencies also tend to make these agencies less effective in carrying out their legitimate responsibilities. Thus, we must streamline and coordinate the functions of the regulatory agencies as well as insure that their policies do not hinder the free market system.

President Ford has devoted a substantial amount of attention to regulatory reform and his administration has devised specific plans for deregulating the airline, railroad, and trucking industries. However, our experience has been that calls for regulatory reform tend to die as a result of pressure brought on by affected interest groups. Consequently, the legislation which I am introducing today provides for a specific timetable for a comprehensive reform of our regulatory system.

As Senator PERCY has stated, this bill would provide that over a period of 5

years, from 1977 through 1981, the President would submit to the Congress by March 30 of each year comprehensive plans for reforming regulation in five specific areas of the economy, namely: Banking and finance; energy and environmental matters; commerce, transportation, and communications; food, health and safety, and unfair and deceptive trade practices; housing, labor-management relations, equal employment opportunity, government procurement, and small business.

Each plan would include recommendations for increasing competition, and for procedural, organizational, and structural reforms—including the merger, modification, establishment, or abolition of Federal regulations, functions, and agencies. Each plan would be referred to the committee with appropriate subject matter oversight jurisdiction, as well as to the respective Government Operations Committees of the House and Senate.

The bill also provides for an action-forcing mechanism in the form of impending abolition of specific agencies and regulations, unless a comprehensive regulatory reform measure is enacted by a certain date, as the best way to assure prompt and effective action on the full range of regulatory issues. Responsibility for action is thus squarely placed on the Congress as a whole.

My concern with the problems of regulatory reform has grown considerably during my service in Congress, through accumulated visits and letters from those individuals in the business world who are being harassed by a welter of regulations and a relentless corps of bureaucrats to enforce them. One regulatory agency which has particularly concerned me, and many small businessmen in my congressional district, is the Occupational Safety and Health Administration. The Occupational Safety and Health Act came into being with the valid purpose of cutting down on industrial accidents. In 1973, over 14,000 Americans died in job-related accidents. Many of them would be alive if better safety measures had been in effect, but as the Federation of American Scientists states:

The Occupational Safety and Health Act has surfaced at least as many problems as it was designed to solve.

The regulations promulgated by this agency are so lacking in uniformity that employers do not know how to comply with them and employees are not in a position to know when a regulation has been violated.

The costs to business for compliance with OSHA regulations are not low. Planned industrial investments in health and safety equipment will rise from \$2.5 billion in 1972 to \$3.4 billion in 1977.

Many of the observations about OSHA can also be made about the Environmental Protection Agency. EPA regulations are extraordinarily complex and result in major costs to businesses and ultimately to consumers. Just to cite one example, if we adopt the stiff noise standards supported by the EPA, the

compliance cost is expected to be \$31.6 billion. Yet with all of the regulations of the EPA and OSHA, we still find that a tragic situation, such as the recent Kepone incident in Hopewell, Va., can go undetected and unchecked by these agencies. Perhaps one reason for the failure to prevent the Kepone tragedy is that so many agencies, both State and Federal, have such overlapping functions that none of them have the clear responsibility to deal with the problem.

The airline industry is certainly one which we should make every effort to deregulate. The examples of increased costs to consumers as a result of the Civil Aeronautics Board regulations are startling. CAB-regulated flights from Boston to Washington, D.C., cost more than twice as much as the unregulated intrastate flights of the same distance, such as the San Francisco to Los Angeles run. Another example of the CAB's disregard for the consumer arose in 1974 when the CAB flatly refused to allow London-based Laker Airways to fly regular "no-frills" flights between London and New York for \$125 each way or slightly over one-third of the current fare.

The surface transportation industry is also one which clearly needs deregulation. Economists have estimated that directly and indirectly the Interstate Commerce Commission costs Americans not less than \$4 billion a year and possibly as much as \$8.7 billion. The ICC has implemented many restrictions on the trucking industry, requiring trucks to return empty from long hauls, wasting time, money, and vital fuel. The results of all ICC rules concerning the trucking industry cause up to 460 million gallons of fuel to be wasted annually. The ICC even contributes to the extremely high costs of groceries. When a court ruling made the transportation of frozen fruit and vegetables exempt from ICC regulations, shipping rates for these goods declined 19 percent. When freshly dressed and frozen poultry were also deregulated, rates dropped even further by 33 percent.

The communications industry, regulated by the Federal Communications Commission, is another agency which is coming under increasing scrutiny by the American people. A small 5,000-watt radio station in New Hampshire reported that it spent \$26.23 just to mail its application for license renewal to the FCC. An Oregon company operating a small TV station reported that its license renewal application weighed 45 pounds. These small stations were apparently required to fill out the same forms as the multimillion dollar radio and TV stations operating in major metropolitan areas.

The issue of cable TV is admittedly complex, but it does offer the potential for cutting costs and providing a wider range of services to consumers. Yet the FCC's reaction to cable TV has been extremely cautious. Seemingly, the Commission has gone overboard in trying to protect the interests of the existing networks which, of course, are highly profitable and not in need of protection from the Federal Government.

Recent revelations have even raised

doubts about the effectiveness of the regulatory system for the banking industry. Today the Federal Reserve Board, the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration simultaneously look after the regulation of our Nation's banking system. The result of having all of these agencies is what Arthur Burns has called "a jurisdictional tangle that boggles the mind." The effect is that financial institutions are required to report to a multitude of agencies, yet important problems somehow manage to fall between the cracks. With the recent failure of the Franklin National Bank and with the disclosures that even the First National City Bank and the Chase Manhattan Bank are having difficulties, we must attempt to streamline the regulatory agencies to insure that problem areas are identified early so that solutions can be found.

Through most of their history, Federal regulatory agencies have labored in relative obscurity. Only recently have the American people become aware of the substantial impediment to our free enterprise system which these agencies have caused. Indeed, we still have a substantial number of people and spokesmen who demand that the noose be tightened further with additional restrictions and controls. Thus, I believe it is now time for the Congress to review in depth the functions of the regulatory agencies so that all of our people are aware of the tremendous impact that these agencies have on the personal lives of our citizens. This task will be difficult, but I feel it is of the utmost importance if we are to maintain the free enterprise system and the enormous productive power of the American economy. I would urge my colleagues to act expeditiously to pass this legislation.

ST. THOMAS FISHERMAN LOCAL HERO

HON. RON DE LUGO

OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 19, 1976

Mr. DE LUGO. Mr. Speaker, it is with great civic pride that I bring to my colleagues' attention the recent heroic action of a St. Thomas fisherman who single-handedly rescued seven persons from a plane ditched in the Caribbean Sea on December 13, 1975.

Peter LaPlace was at the scene when a two-engine plane went into the water just 3 miles short of the Harry S Truman Airport in St. Thomas. Reacting quickly to the needs of the survivors, Mr. LaPlace immediately dumped his fishing gear overboard to accommodate the pick-up of the six passengers and the pilot. Arriving on shore, he drove them to a hospital in his truck. While none of the survivors from the mainland was seriously injured, Mr. LaPlace's hasty rescue prevented injuries resultant from being in the water for a longer period of time.

The courageous behavior of Peter LaPlace is certainly a tribute to his resourcefulness and concern. I would like to personally salute him and extend to him the gratefulness and admiration of all Virgin Islanders.

PROTECTING PRIVACY

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. DOWNEY of New York. Mr. Speaker, at home during the recent congressional recess, many of my constituents told me of their increasing concern about protecting the privacy of the individual citizen. The issue has been raised by a number of the local papers in my district. In January the Long Islander of Huntington, N.Y., asked some important questions in an editorial. I would like to share that paper's thoughts with my colleagues:

OUR PRIVACY

When privacy is mentioned today many people think of Watergate or the more recent allegations of misbehavior by various seemingly cloak-and-microphone agencies. But the issue goes much deeper than bugged offices and bungled burglaries. Intelligence reports tell us that much of the information they need can be obtained legally and openly from government publications, newspapers and other media. The name of the game is simply that of gathering, sorting and coordinating, which is where the computer enters the picture. Computers lower the cost of data storage and recovery, and facilitate its transfer.

Computers are extremely useful tools and modern society could scarcely function efficiently without them. Just as the automobile, though, they can be dangerous when misused. But, then, what does constitute misuse? That is a question we all have to answer and it will not be easy. Businesses collect, sort, store, and sometimes trade, vast amounts of personal data from simple mailing lists to credit ratings and even medical histories. Such practices help to eliminate fraud, hold down prices and improve services to the consumer. But they also result in the assembly of a great deal of personal information that should, perhaps, be nobody's business but the subject's.

In a similar manner, government agencies collect, sort, store and trade similar data. And, in addition to the sources available to business, the government has in its files census data, tax returns, police reports and business trade secrets.

Then there are the academic reports. These reports are important both to the individual concerned and to society in general. Schools and colleges collecting them, public and private institutions, maintain these records through the period of schooling from the grade schools into the colleges and then to the business and working history of the individual involved; although access to the records is limited to qualified personnel of the school district, the parents or guardians, and students of 18 years or over, in accordance with the "Family Educational and Privacy Act of 1974."

Consider a sample of the thorny questions raised by the maintenance of computer "data banks": Should you authorize release of your medical history to insurance company "A," is company "A" able to give it to insurance company "B" without your knowledge?

Suppose private information about you is stolen from a company computer authorized to have it, who is liable for damage done to you? And, should data-gathering agencies be allowed to consolidate their separate files on you, on the grounds of efficiency? If not, where do we draw the line?

Then we come to the opening of government files to public inspection, by law. This sounds like a fine idea, but would you want your file to be open to the public?

These are just a few of the problems. There is plenty of room for disagreement among honorable people of all political persuasions. And there is a very great need to begin thinking carefully and methodically about the best solutions for this information-gathering fever that will be to the greatest advantage of a free people.

ACCOMPLISHMENTS OF THE 94TH CONGRESS, 1ST SESSION, REPORT TO THE PEOPLE OF THE 4TH DISTRICT OF WISCONSIN

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ZABLOCKI. Mr. Speaker, with the convening of the 2d session of the 94th Congress today, I am submitting the following annual report on the activities of the 1st session of the 94th Congress to the residents of the 4th District of Wisconsin whom I have the honor to represent in the House of Representatives. This report to my constituents summarizes the major actions of the 1st session of the 94th Congress and cites some of the major issues that need to be faced during this 2d session of the 94th Congress.

As has been my practice in reporting to my constituents of my activities as their Representative, I recognize that my actions may not totally please everyone nor resolve all of our national problems. I hope my record, however, indicates that to the best of my ability I have sincerely tried to represent, serve, and work in the best interests of all my constituents.

Basic to our representative form of government is the necessity for the people it serves to have confidence and trust in its actions and institutions. This principle again received considerable attention during the 1st session of the 94th Congress as a result of the disclosures about various illegal activities of the Intelligence Agencies. The American people properly demanded a thorough investigation of the activities of these vital and important agencies. Accordingly, Congress created the ad hoc intelligence committees with the expressed purpose of restoring control over the intelligence agencies and the necessary confidence in our National Government. While at times painful, disclosures of misdeeds by our intelligence community must be rectified, or otherwise the original and necessary purpose of these organizations could be betrayed again in the future.

ECONOMY

Positive and constructive efforts to also regain public confidence in our domestic economy were initiated and passed by Congress. Early in the session, Congress drafted and passed a \$22.8 billion tax cut providing needed stimulus to our depressed economy. The President, who only a few months earlier had urged a tax increase, reluctantly signed the tax bill. Recognizing the need to maintain this important economic stimulus to enable the country to recover from its worst recession since World War II, Congress before the close of the first session voted to extend these tax cuts into 1976. Again, the President, only after considerable reluctance and rhetoric to the contrary, agreed to sign this much-needed tax extension. In addition, the Congress enacted a \$2.9 billion jobs package, which included \$1.6 billion for public service jobs and \$500 million for construction. Though the national employment rate had climbed to the year's all-time high of 9.2 percent, the President vetoed a more comprehensive jobs bill. Recognizing the hard-hit housing and construction industries, Congress followed another Presidential veto with legislation authorizing \$10 billion in mortgage subsidies and mortgage payment assistance for unemployed homeowners faced with foreclosure and extended basic benefits to assist the millions of unemployed workers.

I submit the Congress has acted to protect those most hurt by the recession despite 17 Presidential vetoes. In addition, Congress has enacted legislation to fight inflation. Congress established effective and carefully considered ceilings on the level of Federal spending. These limits are part of the new comprehensive budget control process put into effect by Congress last year. These efforts, designed to limit Federal spending and to establish spending priorities, are an affirmative and much needed step toward national fiscal responsibility. The House Budget Committee estimates that in its first year of operation last year the new budget process saved the American taxpayer \$10 billion in 1975. It is my belief that the establishment of the budget process is one of the most important accomplishments of Congress in recent years, which should assist the Federal Government to be more fiscally accountable to the American people.

ENERGY

Coupled with congressional efforts to restore our economic well-being, were our efforts to establish a comprehensive national energy policy. After long hours of debate and consideration the Congress passed the Energy Conservation and Policy Act which establishes much-needed energy policy directives. This legislation offers our Nation for the first time a comprehensive and far-reaching energy blueprint for the future. The measure establishes a policy which is designed to provide adequate energy supplies in the short run and pave the way for the development of new energy sources for the future. As opposed to the administration's position of reducing energy use and of increasing domestic pro-

duction by simply allowing oil prices to rise with no controls, Congress adopted a measure to deal with our complex energy problem in a more responsible way. Our strategy is not to add to our inflationary problems by allowing immediate and uncontrolled energy price increases but rather by controlling prices until after the recession and then permitting increased fuel prices on the least vital users of our energy.

SENIOR CITIZENS AND VETERANS

The Congress also took action designed to assist those Americans most adversely affected by the high rate of inflation—our senior citizens who live on fixed incomes. The Congress rejected the President's proposal to arbitrarily limit cost-of-living increases in social security, civil service, and military retirements. This action assured that millions of our needy fellow citizens should receive the full amount of the automatic cost-of-living increase for 1975. The House of Representatives also passed legislation authorizing the continuation of the Older Americans Act including various senior volunteer programs for the elderly. New programs under this legislation would offer home care, counseling, housing, transportation, and employment assistance for our needy older citizens.

Overriding a Presidential veto, the Congress enacted legislation extending needed major health services and nurse training programs and authorized funds for various State public health programs and community mental health centers. In the important area of education, the Congress also overrode the President's veto to pass legislation appropriating \$7.9 billion for education through fiscal 1977, thereby reducing the pressures on local school officials to request increased local property taxes.

Further, to provide for our Nation's veterans in this time of inflation, the Congress enacted legislation which provides for an 8-percent increase in pensions for veterans and their survivors. In addition, compensation increases of 10 to 12 percent for veterans with service-connected disabilities and for their widows and surviving children were also enacted.

TRANSPORTATION

In the vital area of transportation, the Congress took steps to stabilize the railroad industry and to promote public transportation. Legislation was enacted into law which increased the authorizations to provide emergency grants for operating expenses to the Penn Central and other Northeast railroads and provided loan guarantees to the railroads for capital improvements. The Congress also passed the Railroad Revitalization and Regulatory Reform Act of 1975 in an attempt to revitalize our country's ailing railroad system.

Through money appropriated by the Congress, for example, the Department of Transportation was able to provide the county of Milwaukee a \$17.1 million grant enabling the county to establish a publicly owned and operated bus system to serve the people of the Milwaukee Metropolitan Area. This significant development is a good example of the way

Federal money can be effectively used on the local level to serve the public interest. Coupled with a hopefully soon-to-be completed interstate system in the Milwaukee area, it is hoped that public ownership of the bus system in the Milwaukee area will result in more and expanded lines, greater efficiency, reasonable rates, and greater usage of the bus system by the general public.

One important and admittedly controversial action taken by the Congress during the First Session was when legislation was passed and signed into law designed to help New York City avoid default and bankruptcy. Although this legislation had its shortcomings, action was especially crucial because without the loan guarantees a default by New York would have had serious adverse economic effects on our Nation. Specifically, a default would have reduced the real growth of our economy, would have affected other communities, added to the number of jobless, and boosted interest rates thereby substantially increasing the prospects of higher local property taxes and State taxes.

INTERNATIONAL AFFAIRS

In the area of international affairs, the Congress was very active and continued its reassertion of its constitutional responsibility in the conduct of foreign affairs. The beginning of the session was dominated by the Cyprus issue and our position with regard to our NATO allies, Greece and Turkey. Legislation was finally passed which called for a more moderate U.S. policy on suspending the embargo of arms shipments to Turkey. This responsible action was designed to maximize the potential for a negotiated and peaceful settlement in Cyprus.

In the Middle East, which for too long has been a source of conflict and threat to the peace of the world, the administration's proposal to send 200 civilian technicians to the Middle East as part of the Sinai peace settlement package was adopted. Because of my concern that this kind of participation represents a shift away from the role of detached arbiter to that of active participant, I opposed the legislation authorizing this action.

Related to my concern about our commitments in the Middle East is my concern over the administration's \$3 billion request for economic and military assistance to the Middle East. Of this total, \$1.5 billion is for military credits and grants and \$740 million in economic assistance to Israel and \$750 million in economic assistance to Egypt. During consideration of the administration's request, I have been emphasizing that in our conduct of foreign policy we must recognize that the national security interests of our country must come first. Although I certainly recognize and support the right of Israel to remain a strong and viable country, there are a number of significant reasons why I believe a substantial increase of military assistance to Israel is not in our country's best interest.

Rather than preserve a military balance in the Middle East, the administration's proposed massive increases in military aid to Israel cannot but increase

the chances for another war in the Middle East. At the same time, on the basis of reliable intelligence and testimony submitted to the Committee on International Relations, it is clear that Israel's military capabilities are more than adequate to defend itself against the possibility of a multifront attack. In addition to these important considerations, it must be noted that the proposed billion-dollar-plus military assistance package to Israel may very seriously endanger our own national security by seriously affecting U.S. force supply needs. The Congress and the administration must resist emotional pressures and insist that a prudent and balanced policy recognizing the rights of all peoples in the Middle East must be met if that area is ever to have lasting peace.

As a result of extensive hearings and considerations by the Committee on International Relations, the Congress passed the International Development and Food Assistance Act of 1975. This act, which I cosponsored, contains major innovations in the areas of disaster assistance, food policy, and development aid. It focuses on the world hunger problem by directing aid to the poorest nations of the world. It was the first successful congressional effort to consider humanitarian economic assistance in legislation separate from military and security assistance.

Under the auspices of the International Security and Scientific Affairs Subcommittee of which I am chairman, an in-depth inquiry into responsible ways in which U.S. disarmament efforts could be improved was conducted last year. The subsequently enacted legislation should strengthen the status and effectiveness of the Arms Control and Disarmament Agency and provide the necessary information in the arms control field to the Congress and to the executive branch. My subcommittee also made an extensive review of the implementation of the landmark War Powers Act, reviewed the performance of the United States-Soviet strategic arms—SALT—agreements, and considered legislation designed to clarify U.S. policy with respect to controlling the spread of nuclear weapons.

Mr. Speaker, notwithstanding these accomplishments of the 1st session of the 94th Congress, we must frankly admit that much work still needs to be done. During this Bicentennial year we must continue our efforts to restore our economic well-being by ending the recession. At the same time, we must strive to combat inflation which has taken its toll on the financial security of millions of our people. Conservation of energy and increased domestic production must continue to be the major basis of our national energy program. And, just as we have initiated efforts to restore confidence in our institutions, let us not forget to restore the dignity of all fellow human beings, including the unborn.

Mr. Speaker, I would like to take this opportunity to add my appreciation and thanks to our colleagues for their cooperation and express my optimism that in the forthcoming 2d session our sincere efforts will help to meet the needs

of the American people. As we work toward these goals in this Bicentennial Congress, I pledge my cooperation in our efforts to obtain full employment, economic prosperity, social justice, and lasting peace.

Mr. Speaker, the following is a summary of my attendance record, position, and voting record on some of the major issues considered during the 1st session of the 94th Congress:

VOTING RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 94TH CONGRESS 1ST SESSION
POSITION, ISSUE, AND STATUS

National economy

Voted for: Extension of multibillion dollar tax cut into 1976 to stimulate our depressed economy. Became law.

Voted for: Tax reform resulting in a more progressive tax structure and increased revenues. Passed House.

Voted for: Establishment of a Council on Wage and Price Stability to help contain inflation. Became law.

Sponsored: Audit of the Federal Reserve Board by the General Accounting Office. Pending.

Voted for: Resolution calling for long term interest rates and credit expansion to ease credit. Adopted.

Voted for: Review of the activities of all federal agencies to insure proper service and increase productivity. Became law.

Voted for: Emergency help to small businesses with fixed-price contracts with the federal government. Became law.

Voted for: Reform of the bankruptcy laws. In conference.

Voted for: Simplification of procedures in the emergency farm disaster program. Became law.

Voted for: Temporary and limited assistance to New York City to preserve an adequate national bonds market for our local municipalities. Became law.

Voted for: Tax credit for child care expenses for working parents. Passed House.

Voted for: Billion dollar cuts in unnecessary federal spending in an effort to reduce the federal deficit. Became law.

Voted for: Legislation designed to reduce foreign oil consumption, promote energy conservation, and encourage domestic production. Became law.

Voted for: Temporary suspension of Presidential authority to impose fees on petroleum products. Vetoed.

Voted for: Legislation to prevent uncontrolled increases in the price of domestic oil and gas. Vetoed.

Voted for: Legislation establishing guidelines regulating strip mining to preserve our environment. Vetoed.

Voted for: Establishment of a national policy regarding the oil and natural gas deposits in the Outer Continental Shelf. Passed House.

Cosponsored: Legislation to establish a national energy and conservation corporation to encourage domestic energy production. Pending.

Voted for: Examination of the hydroelectric and geothermal power potential in our country. Became law.

Voted for: Measure to protect our ocean waters and marine environment. Became law.

Voted for: Enlargement of the Grand Canyon and protection of the wilderness areas. Became law.

Voted for: Extension of the Nuclear Regulatory Commission. Became law.

Retirement, health and social services

Cosponsored: Resolution opposing arbitrary ceiling on social security cost-of-living benefit increases. Became law.

Voted for: Legislation providing assistance for nursing education and improved health care. Veto overridden.

Voted for: Legislation coordinating a comprehensive national drug abuse prevention program. In conference.

Cosponsored: National health insurance program. Pending.

Voted for: Legislation to assist Americans suffering from mental retardation and other developmental disabilities. Became law.

Voted for: Measure to improve the administration of health Maintenance Organizations. Passed House.

Voted for: Extension of the Older Americans Act providing new programs for the elderly. Became law.

Voted for: Extended protection against the loss of Medicaid. Became law.

Voted for: Improved enforcement of collection of child support payments from absent fathers. Passed House.

Introduced: Legislation to provide for federal participation in the costs of the Social Security program thereby reducing social security payroll deductions. Pending.

Introduced: Legislation to simplify the method of reporting Social Security wages by employers. Pending.

Voted for: Measures authorizing various improvements affecting federal and civil service annuity. Became law.

Voted for: Legislation opposing increased prices of food stamps for the needy. Became law.

Veterans and national defense

Cosponsored: Resolution to redesignate November 11 as Veterans Day. Became law.

Voted for: Maintenance of our nation's defense by supporting adequate funds for procurement and research. Became law.

Voted for: Legislation to improve care of our veterans living in State Veterans' homes. Passed House.

Voted for: Legislation providing assistance to U.S. nationalized citizens of Polish and Czech origins who fought as allies of the U.S. during WWI and WWII. Passed House.

Voted for: Legislation to increase benefits for disabled veterans and their survivors. Became law.

Voted for: Cost of living increase of 8% in pensions for veterans and their survivors. Became law.

Voted for: Continuation of basic benefits for National Guard Technicians. Became law.

Voted for: Equitable pay treatment of VA Physicians and Dentists. Became law.

Transportation, housing, consumers

Voted for: Legislation to revitalize our country's ailing railroad system. Became law.

Voted for: Legislation to make our civil aviation services safer, more efficient, and more convenient. Passed House.

Voted for: Measure to improve the National Railroad Passenger Corporation (Amtrak). Became law.

Voted for: Increased federal funding to complete our interstate highway system in an effort to reduce higher costs due to delays. Became law.

Voted for: Legislation to provide subsidized mortgages for middle-income housing and to help the construction industry. Vetoed.

Voted for: Legislation authorizing mortgage relief payments to homeowners facing foreclosure due to recession. Became law.

Voted for: Simplification of federal regulations affecting real estate transactions while providing buyer protection. Became law.

Voted for: Extension of the national flood insurance program into 1976. Became law.

Voted for: Legislation to strengthen and clarify the jurisdiction of the Consumer Product Safety Commission. In conference.

Voted for: Legislation to eliminate artificially high prices by repealing the fair trade laws. Became law.

Education and labor

Voted for: Extension of educational opportunities to our handicapped children. Became law.

Voted for: Legislation to reduce illiteracy by helping local governments to meet the need for reading improvements. Became law.

Voted for: Expansion of work and educational grant opportunities for college students. Became law.

Voted for: Provision to prevent HEW from ordering public school students bused beyond the school closest to their home. Vetoed.

Introduced: Legislation to allow an income tax credit for tuition paid for non-public elementary or secondary education. Pending.

Voted for: Creation of 2 million additional jobs for the unemployed. Vetoed.

Voted for: Extension and expansion of benefits for the unemployed. Became law.

Voted for: Federal support of summer youth employment and recreation programs. Became law.

Voted for: Legislation to halt unemployment and to stimulate the economy. Became law.

Voted for: Legislation to amend the Occupational Safety and Health Act by enabling employers to obtain advice and counseling. Passed House.

Voted for: Extension of child nutrition programs. Became law.

Constitutional issues and general government

Cosponsored: Legislation to provide for a National Memorial to Father Jacques Marquette. Became law.

Sponsored: Resolution to proclaim Sunday, September 14, 1975 as "National Saint Elizabeth Seton Day". Approved.

Introduced: Constitutional amendment to reaffirm the right to life of the unborn. Hearings scheduled.

Introduced: Constitutional amendment to provide for the right to offer prayer in public buildings. Pending.

Voted for: Legislation to provide a constitution for the Virgin Islands. Became law.

Voted for: Establishment of a Select Committee on Intelligence. Adopted.

Introduced: Legislation providing for Law Enforcement Officer's Bill of Rights. Pending.

Voted for: Guarantee to all Americans residing outside the U.S. the right to vote in Presidential and Congressional elections. Became law.

Voted for: Audit of the Internal Revenue Service. Passed House.

International affairs

Cosponsored: Reform of our foreign aid program by reducing the emphasis on military aid and by improving our economic aid to those countries most in need. Became law.

Voted for: Maintenance of United Nations' peacekeeping forces in the Middle East in an effort to promote peace. Became law.

Voted against: The stationing of 200 American civilians in the Sinai. Became law.

Voted for: Resolution condemning action by the United Nations equating Zionism with racism. Became law.

Voted for: An amendment declaring it the sense of Congress that any new Panama Canal agreement must protect the vital interests of the United States. Became law.

Cosponsored: Resolution calling for the U.S. and Europe to strengthen our common defense and to promote economic prosperity. Became law.

Introduced: Legislation to establish a Joint Committee on National Security. Pending.

Sponsored: Resolution objecting to proposed sale of F-15 aircraft to Israel. Pending.

Sponsored: Legislation to prevent world famine and to maintain stable world food prices by increasing food production. Pending.

Sponsored: Review of International Executive Agreements which create a national commitment. Pending.

Cosponsored: Resolution urging U.S. not to compromise the freedom of the Republic

of China while lessening tensions with the People's Republic of China. Pending.

Introduced: Resolution proposing an International Treaty to ban lethal chemical weapons. Pending.

Sponsored: Establishment of Japan-U.S. Friendship Committee to promote educational, cultural, and artistic exchanges. Became law.

Supported: Resolution establishing a select committee to pursue the full accounting of our MIA's in Southeast Asia. Became law.

Introduced: Resolution reaffirming congressional oversight over the sale of U.S. weaponry to other countries. Pending.

Voted for: Extension of the Peace Corps program. Became law.

ROLLCALL RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 94TH CONG., 1ST SESS.

	Yeas	Quorum	Re-	Grand
nays	calls	corded	totals	
Number of calls or votes.....	360	216	252	828
Present responses (yea, nay, present, present-paired for or against).....	350	201	242	793
Absences (absent, not voting, not voting-paired for or against).....	10	15	10	35
Voting percentage (presence).....	97.2	93.0	96.0	95.7

DR. MARTIN LUTHER KING, JR.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ANDERSON of California. Mr. Speaker, last Thursday, January 15, was the birthday of Dr. Martin Luther King. Had it not been for his tragic assassination in 1968, he would be 47 years old today.

Dr. King will go down in history as one of the greatest Americans of this century. More than any other person, he brought the plight of black Americans to the forefront of our Nation's conscience. The great strides forward in civil rights that have been made in the last 20 years are due, to a large degree, to the dynamic leadership he gave to so many of his fellow Americans.

As a student of nonviolent protest, Dr. King was a rock of serenity during one of the most turbulent eras of our Nation's 200-year history. He struggled for change, but in a manner that avoided violent retaliation. He was often the target of threats, violence, and imprisonment, but his dedication to the cause he served so well never faltered.

Martin Luther King, Jr., will be remembered as one of the most important leaders of black Americans, but his appeal reached out to the hearts of all men and woman who believe in fairness and equality under the law. He opposed segregation with coexistence; he fought ignorance with truth and knowledge; and he calmly faced the threats and hysteria directed against his cause with the conviction, "We Shall Overcome."

That conviction never faltered. Four long years after his memorial speech in our Nation's Capital, when he told us of the dream he held for America's future,

he spoke again of the faith and hope he held in his heart:

I still have a dream that with this faith we will be able to adjourn the councils of despair and bring new light into the dark chambers of pessimism. With this faith we will be able to speed up the day when there will be peace on earth and goodwill toward men. It will be a glorious day, the morning stars will sing together, and the sons of God will shout for joy.

Less than 4 months after he spoke those words, Dr. Martin Luther King became the victim of an act of senseless violence. His death deprived us of a great leader. Mrs. Anderson and I had come to know Dr. King well during his visits to California, and the news of his assassination came as a deep personal loss.

But as long as men and women strive for justice and equality, the memory of Dr. Martin Luther King will burn as brightly as the faith he held throughout his life.

ROBINSON-PATMAN QUESTIONNAIRE

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. RUSSO. Mr. Speaker, in November of 1975 I sent a questionnaire to some 1,800 small businessmen in my district. The questionnaire elicits their views on the Robinson-Patman Act, which prohibits unfair price discrimination. Their response is most enlightening, and I, therefore, present it here for the benefit of my colleagues:

1. Do you feel that the Robinson-Patman Act is in your interest?

	Percent
Yes	92.5
No	7.5

2. Are you aware of any existing price discrimination practices in your field of business?

	Percent
Yes	46.8
No	53.2

3. If so, do you feel that these practices present a genuine threat to your business's survival and prosperity?

	Percent
Yes	58.6
No	41.4

4. Have you ever made, or considered making, a price discrimination complaint to the Federal Trade Commission or the Antitrust division of the Department of Justice?

	Percent
Yes	11.5
No	88.5

5. Would you like to see the Robinson-Patman Act:

	Percent
Repealed	4.8
Retained as is	25.8
Strengthened	69.4

This information is particularly timely in light of recent testimony before the Ad Hoc Subcommittee on Antitrust, the Robinson-Patman Act and related matters of the House Small Business Committee. As a member of this subcommit-

tee, I have learned of a dramatic decline in the enforcement of the Robinson-Patman Act in recent years. In 1960, the Federal Trade Commission issued 130 complaints and 45 orders enforcing the act. In 1969, the Commission filed eight complaints and nine orders; in 1972, five complaints and two orders. In the last fiscal year, there were only two complaints issued and three orders entered.

This decline in enforcement may be justified if the Robinson-Patman Act is no longer being violated, or if it is now ineffective in serving those whom it was designed to protect. This survey, however, supports the testimony of the distinguished economic and antitrust experts who have appeared before the subcommittee to call for more vigorous enforcement of the act.

It is not, of course, surprising that academics and practical businessmen are thus united on this issue. The most striking feature of the Robinson-Patman Act is that its benefits extend across an extraordinarily broad spectrum of the economy. It protects the manufacturer against coercion by volume buyers, it protects the small buyer from unfair price discrimination, and it ultimately protects the consumer from victimization by a monopolistic distribution system. Further, by prohibiting unfair price discrimination which could eliminate small businesses from the competitive market, the Robinson-Patman Act provides long-term protection to an enormously important segment of our economy. The Nation's 12 million small businesses account for 50 percent of our gross national product and provide 100 million Americans with family income. The destruction of these unique and staunchly competitive businesses would lead to the most dire consequences to our economy and even to our way of life.

It is noteworthy that whereas fully 46.8 percent of the small businessmen surveyed claimed knowledge of existing price discrimination practices in their field, only 11.5 percent had ever actually made, or considered making, a complaint to Federal officials. In this connection it may be worthwhile to consider some of their comments:

"Repeated complaint to the FTC has drawn a big zero—nothing done."

"We are considering filing suit, but can we afford the cost?"

"They—the FTC—are only interested in head-line cases."

"Retain—the act—and enforce it."

"Strengthen—the act—and then enforce it."

Mr. Speaker, the current lack of enforcement of this act is absolutely deplorable. It amounts to an effective repeal of legislation which had been passed with—and still enjoys—the overwhelming support of the people and their representatives in Congress. This frustration of the people's will is an outrageous affront, and a subversion of our democratic system.

The call for immediate and effective congressional action on this problem is widespread and still growing. It is beginning to appear that the evidence in support of this call may be conclusive.

CHILD AND FAMILY SERVICES ACT

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. FLORIO. Mr. Speaker, throughout the past few months my office has received numerous pieces of correspondence concerning the Child and Family Services Act. As I am certain most of my colleagues can authenticate, many of these letters are emotionally charged containing falsified claims as to the consequences should this legislation be enacted.

To perhaps clarify this matter I am inserting the following article which explains some of the confusion and controversy surrounding the bill and dispels some of the myths which have been perpetrated.

[From the Philadelphia Inquirer, Dec. 28, 1975]

CHILD-CARE AID BILL EVOKES PROPAGANDA CAMPAIGN

(By David Hess)

WASHINGTON.—Congressmen from all over the country are being hit by a blizzard of mimeographed flyers urging them to reject a bill that would provide federal aid for care centers for children of working parents.

In a well-orchestrated propaganda campaign, the anonymous authors of the flyer charge that the Child and Family Services bill would "lead to a Soviet-style system of communal child rearing" and destroy parental authority over youngsters.

One of the bill's chief sponsors, Sen. Walter Mondale (D., Minn.), calls the campaign "one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

NO SUBSTANCE

Rep. Charles A. Mosher Jr. (R., Ohio), who has not yet decided whether to support the measure, said:

"I've heard accusations that this bill will do everything from destroying the basic family unit in the United States to indoctrinating preschoolers with a Communist-theist philosophy."

"These charges are all patently false. A careful examination of the proposed legislation shows there is absolutely no substance to these accusations."

The bill co-sponsored by Rep. John Brademas (D., Ind.), would provide federal grants to states, cities, counties, school boards or other local units that set up a comprehensive day-care program for the children of working or low-income parents.

LITTLE CHANCE

There is a hot debate raging over the federal standards that should apply to the day-care centers and over the range of services the centers should provide, and the bill is actually given little chance of passage.

But not one of the bill's identifiable opponents has even remotely suggested that it smacks of a Communist plot, as its anonymous detractors claim.

One opponent, Onalee McGraw of the National Coalition for Children, which favors tax subsidies for parents rather than federal grants for day-care services, says the propaganda campaign "does not serve the true debate on this bill."

The campaign's sponsors are sending their flyers to congressmen, and also are drumming up support in local churches—mainly Baptist and Methodist—and in private, "Christian" schools.

CITE EXCERPTS

In almost every instance, the flyers cite excerpts from the Congressional Record, the daily Journal of House and Senate proceedings, as "proof" of the bill's intent.

These excerpts, however, quote passages taken from a proposed "Charter of Children's Rights" published—but never adopted—in Great Britain, and from the opinions of senators who opposed a similar child care bill in 1971.

Neither the 1971 bill nor the 1975 Mondale-Brademas bill contain a single feature ascribed to them in the propaganda sheets.

In response to the campaign Brademas has issued an itemized rebuttal to the anonymous group's charges. He asserted that:

Participation in the day-care program is purely voluntary.

Policies for running each program would be set by local councils, half of whose members would have to be parents of children enrolled in the centers.

The bill contains a strict and specific ban against any council or government interference with "the moral and legal rights and responsibilities of parents."

Despite the explanations, congressional mail in opposition to the bill continues to roll in. Besides sending the flyers, individuals and church groups are writing separate letters that repeat most of the same points expressed in the flyers.

One 14-year-old Ohio boy, who said he attends a Christian school, wrote:

"Our country has and is going from a free, God-fearing nation . . . to a Satan-worshipping Communist country (in which) all religion is being abandoned."

He said enactment of the bill could lead to the shutdown of his school.

One Indiana couple wrote: "We feel this bill would destroy the family life America has known; not letting parents train their children as their conscience would direct them."

BLAMES BIRCHERS

A number of congressmen report receiving bundles of mimeographed flyers, urging them to reject the bill, from entire church congregations.

One congressional staff aide, noting the familiar John Birch Society envelope stickers on a lot of mail, blamed the campaign on the ultra-conservative Society.

But others believe the campaign is being sustained by certain church and religious school interests, who fear that stricter and more expensive federal standards for day-care services could threaten their own day-care operations.

TWO OUTSTANDING HIGH SCHOOL SENIORS FROM BAY ST. LOUIS, MISS.

HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. LOTT. Mr. Speaker, I would like to recognize two outstanding high school seniors from Bay St. Louis, Miss., Deborah A. Netto and David J. Landon who are presently here in our Nation's Capital participating in the first class of the 1976 Presidential Classroom for Young Americans.

The Presidential Classroom program provides a wonderful opportunity for the young people of our country to gain an insight into the dynamics of government through firsthand contact with the Fed-

eral Government's institutions and leaders.

I know that Deborah and David will benefit greatly from this educational experience and their visit to Washington during the Bicentennial Year.

PROPOSAL FOR JOINT COMMITTEE ON INTELLIGENCE OVERSIGHT

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ZABLOCKI. Mr. Speaker, events of the past few months as reinforced by periodic disclosures from both the House and Senate Select Intelligence Committees have confirmed more than ever my belief that H.R. 54 offers a meaningful solution to achieving effective congressional oversight on the activities of our intelligence community. I, therefore, respectfully but emphatically once again urge the House leadership to fully consider this proposed legislation. As the select committees near the end of their formal work and begin to consider various approaches to creating new permanent standing committees, H.R. 54 is particularly timely.

You know, Mr. Speaker, of my long-standing interest in this matter. As a matter of fact, my first bill to create a Joint Committee on Intelligence Matters was introduced in the 83d Congress on July 23, 1953, nearly 23 years ago. A revised version of that legislation has been introduced in the last two Congresses and would establish a Joint Committee on National Security. My current bill, H.R. 54, is pending before the Committee on Rules.

In large measure this bill is a result of my efforts over the years of trying to reassert the constitutional rights and responsibilities of Congress in the conduct of our foreign policy. In that sense, it complements the war powers resolution which it was my privilege to sponsor in the House. Basically, what H.R. 54 does is allow Congress to address itself in a more comprehensive way to a thorough and ongoing analysis and evaluation of our national security policies and goals.

My proposed legislation would have three basic functions:

First, to study and make recommendations on all issues concerning national security. This would include review of the President's report on the state of the world, the defense budget, and foreign assistance programs as they relate to national security goals and U.S. disarmament policies as part of our defense considerations.

Second, to study and make recommendations on Government practices of classification and declassification of documents.

Third, to conduct a continuing review of the operations of the Central Intelligence Agency, the Department of Defense and State, and other agencies intimately involved with our foreign policy.

Another important and distinguishing

feature of the Joint Committee on National Security would be the composition of its membership. In this connection it is important to recognize that responsible membership is the only way to assure that Congress will get the full and accurate information it needs to guarantee that its oversight function will be carried out properly.

To that end, H.R. 54 provides that appropriate individual leadership positions and committee jurisdictions would be represented on the new joint committee. It would include the following: the Speaker of the House of Representatives, the majority and minority leaders of both Houses, and the chairman and ranking minority members of the House and Senate Committees on Appropriations, International Relations and Foreign Relations, Armed Services, and the Joint Committee on Atomic Energy. Rounding out the 25-member joint committee would be three Members from both the House and Senate appointed respectively by the Speaker of the House and the President of the Senate. Thus, the bipartisan membership would include the experienced authority of Congress with the majority party having three Members more than the minority.

Finally, Mr. Speaker, I think it is important to note what this proposed Joint Committee on National Security would not do. First, and foremost, it would not usurp the legislative or investigative functions of any present committees. Rather, it would supplement and coordinate their efforts in a more comprehensive and effective framework. Nor would this new joint committee in any way usurp the President's historic role as Commander in Chief. Neither would it place the Congress in the position of adversary to the executive branch.

As I said at the outset, the lack of cooperation between Congress and the Executive in the national security area is really at the root of the problems we are now encountering. The need for greater cooperation and understanding has been evident for too long. We have not had an adequate mechanism in our national security apparatus for proper and meaningful consultation between the two branches. The aim of H.R. 54 is to provide that mechanism and thereby allow for the formulation of a truly representative national security policy.

THE COMMUNITY CHURCH OF
DOUGLSTON CANDLELIGHT FES-
TIVAL OF LESSONS AND CAROLS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. WOLFF. Mr. Speaker, the sound of voices in song, the light of candles, were brought to the heart by the strong traditions and faith of Christmas at the Community Church of Douglaston, Can-

delight Festival of Lessons and Carols, December 21, 1975. This occasion served not only as a celebration of Christmas, but as a symbol of the hope—which has extended over centuries and peoples like a timeless glow—of a coming day of peace.

I had the pleasure of attending this yuletide service which was held in the suburb of a city known to draw both ire and admiration. "In order to show our interest and concern for the city's opportunities and problems, and the fact that Christ does minister to urban society * * * the Community Church chose as the theme of the service 'The Christ Child and the City.'"

The Reverends John H. Meyer and Kenneth R. Bradsell with Mr. Gordon W. Paulsen, organist and choir director, and Miss Marguerite Espada, director of the Youth and Handbell Choirs, were primary figures in creating this service which was adapted from the Festival of Lessons and Carols, as sung in King's College Chapel, Cambridge, England.

STATEMENT ON INCOME BY REPRESENTATIVE LONG

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. LONG of Maryland. Mr. Speaker, in 1975, I paid \$15,962.88 in taxes, amounting to 32 percent of my income of \$49,248.16 from all sources, including U.S. Government, farm, interest, dividends, capital gains, rents, and annuities.

Of this total, \$10,784.90 was for Federal income tax, \$2,721.19 was for State and local income taxes, and \$2,456.79 was for excise, sales, and real estate taxes.

My major source of income was my \$42,850 salary as Congressman from Maryland's Second Congressional District. My income also derived from a 112-acre farm in Harford County, Md., and from a small annuity from my service as a professor at the Johns Hopkins University from 1947 to 1963. As of this date I own no stocks or bonds.

My real property consists of my home in Ruxton, Md., purchased in 1946, and my 112-acre farm in Harford County, Md., purchased in 1965. The purchase value of my properties was \$150,000; their current market value is substantially higher.

My debts consist of \$27,700 in mortgages—\$10,000 on my home and \$17,700 on my farm—and \$3,000 in a note to a Baltimore bank.

My contributions to the Federal retirement system total \$35,537.76. This asset can not be converted into cash without relinquishing retirement income rights.

My other assets include two 1970 automobiles, the furnishings in my home in Ruxton, and a small checking account balance.

A CRITIQUE OF THE U.N.—AND AN
ALTERNATIVE TO OUR PARTICI-
PATION IN IT

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. KOCH. Mr. Speaker, I would like to share with my colleagues a brilliant critique of the United Nations written by Alan Dershowitz, professor of law at Harvard University. I support a position of nonpayment of U.N. dues, which would allow a 2-year interval before our membership in the General Assembly would expire. This interval would permit the possibility of an improvement in the situation at the U.N. One argument continuously raised against my position is that we would have to disengage ourselves from the many good functions of the U.N., including health, education, and food programs. Professor Dershowitz offers an alternative, of setting up with other democratic countries social programs outside the U.N. and funneling all our humanitarian aid through such channels.

I commend this approach to my colleagues. The article follows:

SHOULD AMERICA LEAVE THE U.N.?

(By Alan M. Dershowitz)

What should our attitude be toward the United Nations—an organization under whose auspices so much good work is done and so many evil words are spoken? Until recently, that question would never have occurred to a Jewish liberal. Conceived in reaction to the scourge of Nazism, the United Nations was seen as mankind's hope for enduring peace. Its charter was praised as the most eloquent—and significant—document of liberty since the American Bill of Rights. Among its premier accomplishments was the partitioning of mandatory Palestine into Jewish and Arab sectors, thus setting the stage for Israel to declare itself an independent nation. The United Nations and Israel emerged—almost in tandem—out of the ashes of Hitler's Europe.

Now, 30 years later, the rostrums of the General Assembly—and of several other UN affiliate organizations—are being used to spew forth an anti-Semitic gospel that has not been so publicly and unself-consciously proclaimed since the days of Goebbels.

The General Assembly formally declares "Zionism" to be a "form of racism and social discrimination." East Germany, Poland, the Ukraine—among the countries who taught the world the meaning of the word "racism" and whose earth serves as burial ground for half a "race" genocidally butchered by elements of its population—solemnly cast their vote on the side of those who would complete the unfinished job. Saudi Arabia—which denies Jews (with very few exceptions) the right to step on its holy soil—joins Uganda, Iraq, Sudan, which are among the most racist governments in the world, in supporting the resolution.

A fascist voice from the past, that of former dictator Franco, completes the evil circle of right and left wing dictatorships that have but two points in common: their hatred for Jewish Israel and their repressive and undemocratic rule over their own people. (Spain, though absenting itself for the final balloting, voted for the resolution in committee.)

The General Assembly has now become the

house organ of the Arab states. As one diplomat put it: If Algeria introduced a resolution that the world was flat, it would prevail 70 to 30 with 29 absentions. The most critical country standing between Israel and its illegal expulsion from the General Assembly is Egypt, which—for tactical reasons—has decided that this is not the time for Israel's expulsion. Sadat has apparently contented himself with the condemnation of Zionism—making it clear that he understands the difference between anti-Zionism and anti-Semitism by using an example from his youth: "I went to the dealer and asked for a radio set in 1950 . . . all our economy was in the hands of the Jews at that time . . . Because they received orders from Zionism, from Israel, you will not believe I was denied a radio set. . . ." He is right, of course; no reasonably educated person will "believe" that Jews controlled the entire Egyptian economy in 1950. The lesson of Sadat's illustration is that those who would extinguish Zionism are no longer even making serious efforts to distinguish Zionists from Jews. As Vernon E. Jordan, Jr., the black director of the National Urban League, who has devoted his life to opposing racism, observed after the original "racist" vote: "The attack upon Zionism amounts to the grossest form of anti-Semitism, since it is clear that the term Zionism is used by its opponents as a code word for Judaism and Jews. The fact that the resolution was rammed through by the Arab states that they themselves practice racial discrimination against their own minorities—Jews, Kurds, Copts and others—make the current debate even more obscene."

Nor is this vilification of Zionism-Judaism limited to the General Assembly. Many other agencies of the United Nations have become the battleground for the Arab "grand design" to cut off Israel from the international community and to place world Jewry in a defensive position. Organizations ranging from UNESCO to the International Labor Organization to the World Health Organization to the Food and Agriculture Organization have been the scene of attempts, usually successful, to condemn Zionism. Indeed it can fairly be said that never in the history of the world have so many nations reached so much agreement about a single issue: There was not nearly as much international consensus in condemnation of Hitler or Stalin.

Perhaps the most striking example of the absurd lengths to which the Arab governments will go in distorting the proper role of the international community in their vicious game of hatred was the recent International Woman's Year World Conference, sponsored by the United Nations and held in Mexico. As Ms. Karen DeCrow, the president of the National Organization of Women (NOW), recently put it: It was "ironic" that a majority of women from Arab and Third World countries refused to endorse a statement condemning sexism but endorsed a resolution that denounced Zionism. "It was disgraceful . . . but it was unfortunately part of the pattern, because most of the nations of the world they represented approve of sexism and practice it, and approve of anti-Semitism and practice it."

What then is to be done in response to this rapidly escalating war of words? There are those who argue that it should be ignored; that it will go away by itself. But there is no evidence to suggest that without an effective counterattack, the Arab offensive will abate. Moreover, the tragic lesson of history is that words, repeated often enough and from important enough places, can take on a generative power of their own and become deadly weapons of destruction. For example, the General Assembly resolution will undoubtedly serve as a "legal" excuse for some gov-

ernments to imprison Zionists as part of that country's "contribution" to the elimination of racism in the world. (One can see the Soviet Union cynically outlawing Zionism and anti-Semitism at the same time, thereby demonstrating its commitment to the United Nations while imprisoning its Jewish dissidents.)

The sad truth is that the United Nations has contributed to the international legitimization of anti-Semitism, terrorism and injustice. It has not created these evils, but it has helped to make them respectable in the eyes of many in the world who respect the UN for its humanitarian work. Few who learn that this august organization has condemned Zionism realize that countries with 10 percent of the world population control two-thirds of the General Assembly. Few who hear calls for the "extinction of Israel" from its marble chambers know that the calls come from a racist madman who, while proudly wearing an Israeli paratrooper's wings, sought to build a monument to Hitler in his nation's capitol. Few who witness television coverage of the standing ovation given by the General Assembly to a mass murderer of noncombatant men, women, and children understand the utter hypocrisy of the United Nations' lending its podium to a self-appointed military leader who daily violates its charter.

We in America must never underestimate the appreciation and reverence much of the world has for the UN. Under its umbrella, millions of people are fed, clothed and treated for illnesses. To most of the world, the UN does not mean the vicious diatribes of the General Assembly; it means the food parcel with the blue and white symbol of peace, or the doctor or nurse with the blue and white arm patch. To most Americans, it means a UNICEF collection box on Halloween, a graceful building in New York, or an admiring chapter in a high school civics book. The good works of the United Nations endow that organization with credibility—and it is this credibility that is being deliberately exploited to lend an air of authenticity to the absurd resolutions that the Arab nations have generated.

For example, several days after the "racist" vote, The New York Times reported that the World Health Organization was performing a "miracle" in India and Bangladesh by virtually eliminating smallpox; the Indian who learns that the organization that has just saved his family has also voted (with the support of his country) to condemn Zionism as a form of racism, will have every reason to give credence to that conclusion.

This then is the dilemma of the moralist looking at the UN today. He cannot conceive of a world denied the good work currently being done under the auspices of that organization. Yet he cannot continue to support an organization that has become the international loudspeaker for a virulent and dangerous form of world anti-Semitism. Nor is it an acceptable answer for him to limit his support to the good work of the UN. For it is precisely the good work that lends legitimacy to the band. Every good deed done by UNICEF, WHO and other agencies of the UN which have not themselves been guilty of anti-Semitism, helps to bolster the prestige and respect of the United Nations, and thereby threatens to magnify the impact of anti-Semitic and anti-Zionist resolutions adopted by UN-affiliated organizations.

It is misleading, therefore, to pose the question—as many have—"Does the UN do more harm than good?" The obvious answer is that it does a great deal of both; and that each—unfortunately—is inextricably intermeshed with the other. The real question is whether the good which the UN currently does can be continued without enhancing

the legitimacy and respectability of the evil that has become, recently and tragically, the hallmark of the General Assembly.

In the end, we need not accept a choice between preserving the UN as it presently exists or losing its good work. It is entirely possible for the humanitarian work currently being done under the auspices of the UN to be continued through multinational professional groups which are unaffiliated with the UN. A multinational health organization, whose sole job it was to treat illness, could be at least as effective as the World Health Organization, which spend far too much of its time and resources deciding whether to take political sides.

Democratic countries around the world should begin to prepare contingency plans for continuing important humanitarian work outside the formal structure of the United Nations. The contributions currently made by the United States alone to the General Assembly and other UN affiliates could buy more medical care, food, and other professional services than is currently provided by the entire UN.

There is some evidence that the United States may seriously be considering some degree of disengagement from the UN apparatus—at least on a selective basis. Its decision to give formal notice of intention to withdraw from the International Labor Organization—a United Nations agency—may signal the beginning of a new policy. The I.L.O. has, over the years, applied—George Meany's words—a "double standard" on the issue of human rights: It has been unwilling to investigate any charge against Communist and Third World countries, while jumping at any opportunity to score political points against Israel and the West.

The straw that caused the American delegation to walk out was the I.L.O.'s invitation to the "Palestine Labor Organization"—a virtually non-existent contrivance—to accept observer status in its assembly. The I.L.O. is now on notice that the United States will withdraw in two years unless the organization becomes more even-handed. More generally, the United Nations may now also have been put on notice by the near-unanimous congressional reaction to the "racist" vote: that the United States may be reassessing its role in the General Assembly.

It is important to emphasize that the threats of the United States—and other democratic countries—to withdraw from United Nations organizations will lack credibility unless there are on the drawing boards serious contingency plans for continuing the humanitarian work of the United Nations through other, less politicized groups. The irony is that the Third World countries (who pay the least and gain the most) know full well that the United States and the other democratic countries (who pay the most and gain the least) will simply not allow the good work of the UN to go down the drain. Our threats to withdraw are thus not taken as seriously as they would be if our withdrawal were seen not as an end to our support for humanitarian programs, but rather as an end to our support for an organization that has lost its credibility with our citizens, and that is threatening to become the *Der Stürmer* of a new wave of world anti-Semitism.

If the United Nations continues to permit itself to be used in destructive and divisive ways, the day may well arrive when all people of good will—Jew and non-Jew alike—will see no alternative but to call for its dismemberment. Democratic countries may have no choice but to withdraw from the General Assembly and its constituent organizations. If the groundwork for such withdrawal is carefully laid in advance—if alternative structures for the provision of humanitarian services are created—the withdrawal of

democratic countries need not be seen as a tragedy. It will be the inevitable consequence of a self-inflicted wound. All that will have been destroyed is a one-sided debate society of hate.

Our reverence and respect for the United Nations of 1948 must not blind us to the reality of what it has become in 1976. As Ambassador Daniel Moynihan put it in the aftermath of the General Assembly vote on Zionism: "The General Assembly today grants symbolic amnesty—and more—to the murders of six million European Jews. Evil enough in itself, but more ominous by far, is the realization that now presses upon us—the realization that if there were no General Assembly, this could never happen."

NAACP BOARD CHAIRMAN ADVOCATES "A SEARCH FOR A NEW IDEAL" IN THE CANAL ZONE

HON. RALPH H. METCALFE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. METCALFE. Mr. Speaker, on December 1, 1975, the Honorable ROBERT L. LEGGETT, now a distinguished Member and formerly the capable chairman of the Panama Canal Subcommittee, brought to the attention of this body some important proposals for the enhancement of equal opportunity in the Canal Zone. The gentleman from California referenced Gov. Harold R. Parfitt's proposals of November 10, 1975, to consolidate the United States and Latin American school systems in the zone, to merge the separate housing communities in the Canal Zone, and to decrease the number of security positions—for which only U.S. citizens qualify—in the canal organization. These are three historic initiatives which in my view will enhance the quality of life for all in the Canal Zone and which will more fully utilize the resources and develop the potential of the Isthmian community.

Subsequent to their announcement, Governor Parfitt's three proposals have been endorsed by several important organizations and individuals, including representatives of organized labor and also Members of the Congress. It was particularly gratifying to me that Mrs. Margaret Bush Wilson, the dynamic chairman of the board of directors of the NAACP, endorsed in principle the Governor's proposals.

In a speech at the Freedom Banquet of the Canal Zone NAACP on December 6, 1975, Mrs. Wilson recounted the history of race relations on the Isthmus of Panama and stated:

Against this background, the news that Governor Harold Parfitt has submitted proposals looking toward removing segregation and discrimination in schools, housing and employment was most welcome. The time span of four years for removing some of these barriers, such as separate U.S. and Latin American schools, for example, does seem to be unnecessarily drawn out.

I recognize that there is a so-called language barrier. But, with creative thinking and imaginative programs, such barriers can be overcome in a much shorter time.

I believe Mrs. Wilson's position is consistent with the constructive change the NAACP has long advocated. I am sure that the support of the NAACP, an organization with monumental achievements to its credit in the field of civil rights and equal opportunity, ought to hasten the day for implementation of the Governor's initiatives.

Mr. Speaker, there has been no doubt at all in my mind that the Governor's proposals do represent a significant event in the history of the Canal Zone, an event which is a prerequisite to the blessings of peace the Governor of the Canal Zone asked for in his 1975 Christmas message—"the peace to build and grow, to live in harmony with each other and to plan for the future with confidence". So that the Congress and the public may very clearly perceive the importance of the events which I reference, I am inserting at this point the full remarks of Mrs. Margaret Bush Wilson and also a news article from the Panama Star & Herald which contains the formal position of the Canal Zone branch of the NAACP on this matter:

A SEARCH FOR A NEW IDEAL

(Speech at Freedom Banquet of the Canal Zone Branch of the National Association for the Advancement of Colored People (NAACP), Saturday, December 6, 1975, Albrook Air Force Base, Canal Zone, delivered by Mrs. Margaret Bush Wilson, Chairman, Board of Directors, NAACP, Mrs. Wilson is a practicing attorney in St. Louis, Missouri, U.S.A.)

Some months ago when the invitation of the Canal Zone Branch to speak on this occasion was extended to me by Sgt. Cleg-horn, it seemed like a trip to be characterized as a charming respite from the stark Missouri winter.

Since then, I have been doing my homework and reading extensively about the Canal Zone, the Panama Canal and its problems. As the date of my visit approached and the headlines became more lively, I have concluded that this speech is a special challenge.

Clearly, I came to the Canal Zone at a fate-time in the history of this area. I am here during a period of crucial negotiations between my government and the government of Panama.

Moreover, I come at a time in the annals of the Civil Rights movement when the quest for equal rights and human dignity have assumed broader dimensions involving the rights of the young and old, of native-Americans, and hyphenated Americans—Puerto Ricans, Spanish-surnamed, Italian—of women, the handicapped and the convicted.

Finally, it is inescapable that I am speaking to you at a time of global ferment when the thrust of many peoples and many nations is toward development and independence and freedom from oppression.

Against this backdrop, I have chosen to entitle my remarks *A Search for a New Ideal*.

But first it is imperative to look at the historical perspectives in order to perceive the new dimensions of the quest for human rights.

The roots of the problem are closely intertwined with the history of the United States and the creation of Panama.

In early America, land, raw materials and even money were readily available. The one resource in scarce supply was labor. This imbalance led those seeking to develop the country to seek this resource wherever it could be found.

First, efforts were made to force Indians,

into service for production. This was a dismal failure. Then white indentured servants, convicts and temporarily unfree labor were sought. But what proved to be the cheapest and the best source of labor was the African. The reason for black slavery was economic; it was not color but cost that was important.

So too were the genesis and source of the problems now existing in this Zone—economic. A dream to create a passage between the two great oceans and open a new vista for development and trade was brought to reality.

The right to build the International Waterway, which the Administration of Theodore Roosevelt acquired in 1901, heralded the historical patterns of racial discrimination from the Mainland and into what was then the virgin jungles of the Isthmus of Columbia. Two weeks after Panama proclaimed its independence in 1903, Secretary of State John Hay concluded a treaty that leased the Canal Zone to the United States in perpetuity.

To a group of U.S. Army Officers, Panamanian Businessmen and members of a French firm with the vision, there now came the manpower to build the canal—blacks from West Indies.

This 10-mile stretch of waterway linking two giant oceans, the Atlantic and Pacific, has been heralded by historians as a triumph of American engineering and organization. In monetary terms, it has led to the savings of hundreds of millions of dollars by shipping companies since its opening in 1914 and to the unabashed enrichment of shareholders of the Panama Company.

But to the lowly souls without whose toil—and lives—this waterway would never have been built, the Panama Canal was literally hell on earth. Like the black workers in the cotton fields of Mississippi, the cane fields of Florida or the tobacco plantations of South Carolina, the wretched souls who flocked to the Canal Zone in search of work were exploited without mercy.

These descendants of African slaves came from the West Indian Islands and were forced to live in some of the most wretched labor camps imaginable. They labored under unparalleled hardships and suffered the added ravages of climate and region, such as malaria and yellow fever, diseases carried by swarms of mosquitoes.

As I speak of these conditions, I cannot help but recall that occasion that helped propel our current Executive Director, Roy Wilkins, into the direction of a national leader. Hearing of the conditions under which his fellow blacks worked on the Mississippi flood control project, Roy Wilkins, a year after he joined the National staff in 1933, went South into the area to conduct a secret investigation.

Disguised as laborers, he and a partner worked for three weeks on the project gathering material for their shocking report which they prepared after barely escaping when they were discovered. As a result of this investigation, the Secretary of War, whose department had jurisdiction over the project, announced that the hours of unskilled workers would be shortened and their pay increased.

For the black laborers in the Canal Zone, their most pressing hardships of excessively long hours, low pay and despicable living conditions could not be easily alleviated. Cut off from the Mainland by distance and other Central American countries in between, the Canal Zone has been administered simply as a vestige of the parent state under the Secretary of the Army. To United States citizens, the protection of the constitution has been available to the extent that minorities on the Mainland have been covered. For non-U.S. personnel, however, the full penalties of our laws are always extended but never their total protection. Even so, separation from the prevailing moral forces and public opin-

ion in the United States means that there has always been a lag between progress in race relations in the U.S. and here in the Canal Zone.

Thus, we find that the "Gold"—"Silver" segregation which grew out of the two separate wage systems that were used in the construction era lasted much longer than they would have in the U.S. "Gold Roll" wages were paid mainly to U.S. residents, who generally were higher skilled—and white—while "Silver Roll" pay went to the laborers, who were mostly unskilled West Indian blacks.

In 1948 the "Gold" and "Silver" designations were replaced by the terms "U.S. Rate" and "Local Rate". As everyone knew, these were mere euphemistic modifications that were adopted by the Canal Zone in the face of growing pressures in the surrounding region and at home. To borrow a saying from Brooklyn, the terminology was "The same difference". The new designations clearly indicated that the caste system was to be continued. Today, a new refinement that is based to a large extent on cultural and linguistic differences.

Across the years frustrating efforts have been made continuously to eradicate these vestiges of racial discrimination with only limited successes.

It was into this climate then that an established defender stepped, when a charter was issued for a Canal Zone Branch of the National Association of Colored People in 1974.

In the short space of just over a year, the accomplishments of the Canal Zone Branch of the NAACP have been impressive.

I, therefore, want to commend the officers and members for:

Having the commissary stores change the titles of men doing general assistance work from the most offensive "Package Boys" to Package Handlers.

Eliminating segregated facilities that existed at Pedro Miguel and Gatun Locks.

Removing from bookshelves in stores an injurious publication, while increasing the sale of a black publication in the commissary store at Balboa.

Ending the showing of a sinister film called "A Dream of Jeannie" and winning a promise from the proper officials not to show any more works of similar repute.

The sponsorship of cultural and stage events that foster black pride and a holiday seal fund-raising program last Christmas.

These clearly are achievements for which any NAACP Branch can be proud.

The urgent agenda for this branch, however, lies in facts exposed in the reports of the General Accounting Office:

The report indicated efforts have been made to correct wage scale discrimination. But the long-standing practice of pegging wage scales for certain jobs according to the prevailing rate in the recruitment area, still continues.

It is no surprise that the GAO found that the 1974 Equal Employment Opportunity Plan of the Canal organization failed to eliminate discrimination. To be sure, personnel working in the Canal Zone are covered by the 1964 Civil Rights Act and Executive Order 11248. But, again we find that some—meaning U.S. personnel in the higher categories—receive more equal coverage than non-citizen employees.

Coverage of the EEO (Equal Employment Opportunity) Laws have been extended administratively to non-citizen employees, but these workers are limited in the action they can take since the EEO laws do not directly cover them, redress of grievances is difficult because they cannot appeal to the U.S. Civil Rights Commission or file suits.

Tied in with the problem of wage scale discrimination, of course, is the question

of upward mobility, and the subtle practices used to keep people of African descent on the bottom of the economic ladder.

In housing, the sharp lines of segregation are clearly evident. On the surface, it would seem to have developed without official action. In the States, this is called *De Facto* segregation. Actually, the separate, racially identifiable communities found here have been created by governmental action, whether overt or covert.

For example, the GAO report tells us that:

"The first permanent Silver-Roll community was established in 1914 at La Boca, Canal Zone, by converting surplus frame barracks into family apartments. During the period 1914 to 1920, additional silver-roll towns were established and enlarged as U.S. citizen construction towns were vacated or surplus barracks became available for conversion to family apartments."

Other exclusionary practices, such as maintaining a strict housing quota for non-U.S. citizens in the Canal Zone have been in practice for an even longer time.

Also, this Agency notes:

"Between 1951 and 1971, there was a 2,488-unit net total reduction in Latin American housing. Despite the general policy of attrition which has been followed, no decision has been made as to the ultimate future of the Latin American communities."

In Education, we find a similar dual system, "Gold" schools for predominantly white communities, and "Silver" schools for mainly black, Latin American residents.

As a result of the landmark 1954 decision in the *Brown v. Board of Education* case, schools for U.S. citizens were integrated. But the silver-roll schools were designated Latin American schools. Here, instruction was in Spanish, and the standard of instruction was purportedly pegged to areas outside the zone.

Against this background, the news that Governor Harold Parfitt has submitted proposals looking toward removing segregation and discrimination in schools, housing and employment was most welcome. The time span of four years for removing some of these barriers, such as separate U.S. and Latin American schools, for example, does seem to be unnecessarily drawn out.

I recognize that there is a so-called language barrier. But, with creative thinking and imaginative programs, such barriers can be overcome in a much shorter time.

The turbulent, irresistible winds of change that have so effectively altered the structure of world politics in the past two decades are certainly at work here. The dramatic accomplishments in the advancement of civil and human rights in the United States clearly demonstrate that effective measures can be taken to change resistant attitudes.

However, it is my fervent hope that the members of this Branch will see in their challenge here in the Canal Zone more than simply the redress of grievances—in schools, in housing and in employment.

It should be apparent that the broader implications of the issues you face are almost a microcosm of the much larger global and international problems of an unsettled world—a piece of the main as it were.

We who are United States citizens are on the eve of the bicentennial year of the American Revolution. That revolution grounded us in certain first principles. Oh there were flaws in their application—like counting some of us as 3/5ths human and others not at all. But—the first principles were sound and enduring—that all persons are created equal, have certain inalienable rights and that government must be established by the consent of the governed.

Behind these first principles lay a tradition of individual worth—that Americans

would be a free people—not instruments of the State.

It was precisely because England, in the eighteenth century—held in contempt the sovereign rights of people and sought to protect, maintain and expand her empire by fiat of King George and his ministers that the colonists revolted.

In today's world, we must reexamine our tradition of individual worth against first principles. In our own minds it must be unmistakably clear that there is and must be a distinction between rights and privileges. And noting that distinction, we must be firm and forthright in declaring that the rights of some may not be ignored or diminished to favor the privilege of others.

Moreover, we cannot afford the luxury of being uninformed or fuzzy about the political and economic implications of existing and emerging problems.

Here in Panama, for example, an overriding imperative of political import is the need for continued amicable relations between Latin America and the United States. There are economic overtones, as well, touching the Canal itself and the matter of obsolescence, convenience and cost. This NAACP Branch, its leaders and its members must be more than informed about the facts, they must provide a new kind of leadership, with a new spirit and fresh sense of their role as champions of a New Ideal.

This New Ideal does not discard the concepts of Liberty, Equality and Fraternity...

This New Ideal builds upon the precept of Liberty—

By recognizing that Liberty today cannot mean being free to do as we please, but rather accepting the reality that freedom requires self-restraint and a vision of a cooperative society.

The New Ideal builds up the idea of Equality—

By understanding that Equality must be translated into human terms, and that it is not only folly to presume that some are more equal than others, but that our commitment must be to effective measures to end discrimination based on false distinctions.

The New Ideal builds upon a deeper meaning of Fraternity by perceiving that Fraternity embodies a sisterhood and brotherhood across ethnic, religious, racial, cultural and global lines and seeks a compassionate world community where the human condition commands priority, land civility and social virtues prevail.

A few weeks ago, a New York Times article regarding the Panama treaty negotiations caught my eye with the compelling headline "U.S. Residents of Canal Zone Are Jittery". In the article itself a paragraph began:

"It is already agreed that, within three years of a new treaty, Panama will recover jurisdiction over the Canal Zone and will assume responsibility for police, judicial, prison, postal and commercial services in the 10-mile-wide strip."

There followed a comment that in human terms, these developments would mean several hundred American Government workers would soon be out of jobs, while others would find themselves living in Panama rather than in a transplanted corner of the United States.

To this state of affairs, one cargo worker was quoted as saying: "I don't want to leave because I enjoy life here, but the minute they do away with American police, postal services and schools, I'm off. I'd send my family immediately and leave myself as soon as I found a job in the States."

Somehow, the pathos of this comment, revealing so vividly the urgency of a New

Ideal recalls to mind the words of Paul Laurence Dunbar:

"I know why the caged bird sings, ah me,
When his wing is bruised and his bosom
sore,
When he beats his bars and would be free;
It is not a carol of joy or glee,
But a prayer that he sends from his heart's
deep core,
But a plea, that upward to Heaven he
flings—
I know why the caged bird sings"

PARFITT'S INTEGRATION PLAN GETS SUPPORT
OF LOCAL NAACP

The Canal Zone Branch of the National Association for the Advancement of Colored People told Canal Zone Governor Harold R. Parfitt Tuesday his proposals on housing, schools, and employment practices "are indispensable to defuse these divisive and explosive issues."

Governor Parfitt recently announced a Panama Canal administration program to consolidate schools, now separated into US and Latin American schools; to remove nationality barriers in housing; and to reduce the number of US-held security positions.

The program has won strong support in the local community and in U.S. Congressional circles.

In an open letter, the NAACP told Governor Parfitt that his proposals "signal the passing of a period in local history tarnished by (racism and social injustices) and the beginning of an enlightened era in which people live together with mutual respect, dignity and understanding."

Text of the NAACP letter follows:

"Dear Governor Parfitt:

"The Canal Zone Branch of the National Association for the Advancement of Colored People heartily welcomes your proposals to reduce the number of security positions in the Panama Canal organization, consolidate the U.S. and non-U.S. school systems within the Canal Zone and place C.Z. family housing on a more equitable and competitive basis among U.S. and non-U.S. citizens. You, in the words of Robert Frost, 'took the road less traveled by, and that has made all the difference.'"

"Your proposals are a significant and historical breakthrough in our struggle for equality, justice and human dignity for all Panama Canal Company Government employees regardless of their race, creed, color, sex or national origin. These proposals concretely demonstrate that meaningful changes are possible within a democratic system characterized by rational and open dialogue between leaders and group members, management and employees, government representatives and citizens. They symbolically represent a reassuring and guiding beacon of human justice in a dark world of institutionalized racism and social injustices. They signal the passing of a period in local history tarnished by these injustices and the beginning of an enlightened era in which people live together with mutual respect, dignity and understanding."

We are very cognizant of comments by people who feel threatened by your proposals. We reiterate emphatically, however, that your proposed innovative changes in C.Z. housing, schools and employment practices are long overdue and are indispensable to defuse these divisive and explosive issues. Moreover, there is an untapped wealth of human resources which can be creatively used to realize your proposed changes. As the American Revolution Bicentennial approaches failure to implement fully and orderly your proposals would be a desecration of the spirit and purpose of that revolution.

"We, therefore, fully support you in this effort, and urge all enlightened citizens to

support you during this time. We strongly encourage you to continue to demonstrate your creative leadership and moral courage until victory is won. We will remain vigilant to ensure that the spirit of your proposals and the principles of equality, dignity and justice for all are fully maintained during the implementation of these proposals."

LAW NEEDED TO DEFUSE TASER

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. COUGHLIN. Mr. Speaker, it is with great alarm that I have read of a frightening new device which is terrorizing law-abiding citizens. Marketed as the Taser, this Orwellian weapon expels miniature harpoons which carry 50,000 debilitating volts to its unfortunate victims. The resulting excruciating pain renders its sufferers completely incapacitated for several minutes.

Priced at just under \$200, the Taser resembles a flashlight. Capacitors, however, boost the charge provided by an 8-volt battery. The miniature harpoons are tethered by 15-foot cords attached to the Taser. When the harpoons are expelled, their barbs stick to the clothing or flesh of the target, and the electric shock is carried to the victim through the cords and harpoons. While no deaths have occurred from this new device, the potential is certainly apparent, and the brutal pain is undeniable.

The high cost of the Taser and its easy availability make it ideally suited for use by criminal elements, rather than the housewife or individual for whom the manufacturer claims it was developed. Amazingly, however, the Taser is outside of existing Federal sanctions on weapons.

With the arsenal at the hands of criminals already staggeringly effective, it would be irresponsible to allow the Taser a place in the American marketplace. I therefore intend to introduce legislation this week to have the Taser classified as a destructive device under the provisions of the Gun Control Act of 1968. This would prohibit the sale or delivery of this weapon without the specific authorization from the Secretary of the Treasury. While there is a possibility that the Taser's principles could be put to appropriate use by law enforcement officials, to allow the free distribution of this destructive device would be unconscionable.

The following newspaper articles and editorials document the necessity to ban the public sale of the Taser. I am sure my colleagues will find them most informative:

[From the Philadelphia Inquirer, Jan. 17, 1976]

CONTROL THOSE ELECTRIC DARTS

When a weapon can be—and has been—used to inflict deliberate, repeated and sustained torture on victims, its distribution and sale to the public should be outlawed or at least strictly controlled.

The Taser gun, already sold by the thou-

sands in the United States since it went on the market last year, was used by robbers against occupants of a house in Montgomery County the other day with terrifying results. A couple was tied up, then shot in the abdomens with the guns, and subjected to numerous electric shocks that cause severe pain.

A short-range weapon, the Taser shoots darts attached to electric wires. Once the dart is imbedded in the victim, 50,000-volt shocks can be administered at the push of a button. The device is unpleasantly reminiscent of the electric shock torture described in horrible detail in Orwell's "1984."

There may be valid uses for the Taser by responsible officials in certain situations. It has been mentioned, for example, as a potentially effective weapon to immobilize a would-be hijacker in a crowded airliner. Despite the intense pain, the gun apparently inflicts no lasting injuries.

Canada has banned the Taser. So have California and New York City. But federal controls are needed. The U.S. Treasury's division on firearms and the U.S. Consumer Product Safety Commission are investigating. There should be action—before these frightful instruments get into the hands of more criminals.

[From the Washington Post, Jan. 11, 1976]

THE STING

For as long as the rising crime rate has been an anguishing national issue, and ever since the control of civil disturbance became at least a potential problem for the nation's police forces, the search has been on for a more humanitarian and less provocative alternative to the gun as a defensive device. For a time, some police departments were experimenting with rubber bullets to stop fleeing felons, but the idea flopped. During the urban rioting, somebody came up with a foam that could be spread on the street and make it impossible for the rioters to stand up, but it turned out the police and firemen wouldn't be able to stand up either. Then there was the question of what to do with all that foam.

Now there is a new product, whose sales are breaking records across the country. It is called the Taser (because it rhymes with laser) and it is supposed to help the ordinary citizen fend off an assailant. It is a device about the size of a flashlight and in fact one component is a flashlight. But the other component is the important one. It consists of two small barbs with the appearance of tiny harpoons. Like the harpoon, they are attached to a 15 foot cord. When not in use, the cord is coiled and the Taser is kept in a holster. When the Taser is to be launched, a trigger is pressed and the two harpoons sink into the flesh of the opponent and produce an incapacitating shock of 50,000 volts.

Tests have shown that normally healthy people can sustain such shock without any apparent permanent effect. It is therefore argued by the proponents of the Taser that it is far more humane than a handgun as a weapon of defense for homeowners and others concerned about their personal security. It is because of that contention that the device has sold well, even at the considerable price of \$200.

If it were possible to guarantee that only good and law abiding citizens could get their hands on this device—and use it with the greatest care—the story might conceivably end here with applause for good old Yankee ingenuity. Unfortunately there is another and much darker side to the Taser story. From Florida and a number of other places reports have been accumulating about the employment of this device in holdups. The victims have described being hit with an

extraordinary and excruciating pain (some people lose consciousness altogether before realizing that they were about to be robbed. There has not been a report of a Taser-related fatality yet, but doctors wonder and worry about the effect of 50,000 volts on someone equipped with an electronic pacemaker for example. Several retail outlets that market the device have reported having a portion of their supply stolen, almost a guarantee that the devices will be turning up more and more frequently in the hands of criminals.

So we come to a weighing of social benefits and liabilities. Naturally, it would be best in all events if citizens would leave the gunplay and the Buck Rogers inventions alone and simply insist that the police do their job. Citizens should not have to feel the need to be armed in a tamed and civilized society. And yet, our society is already armed to the teeth with 40 million handguns, several times that number of long guns, bows and arrows, knives, crossbows, axes—and now Tasers. In such a circumstance, it would be easy to argue that the Taser is an advancement because it appears to be less lethal than a gun.

The trouble is that there is no way to tell who's going to get the most out of the Taser. There is a good chance the criminals will be attracted to the Taser and soon have the capability of working their coercive will on the citizenry with yet another device. In other words, the Taser is part of the civilian arms race, and like that other, larger, global arms race there is no proven security in numbers of weapons. In fact, there comes a point where the existence of the weapons in and of themselves poses at least as much of a danger as that against which they are to be used. The Taser is what might be called, at the Pentagon, a first generation weapon. Its success is almost certain to bring imitations and innovations with the probability that citizens will be less safe instead of more.

Since Taser is in its infancy, this is as good a time as any to declare as a matter of public policy that almost anything that adds to the civilian arms race is as dangerous to the civilian as to the criminal, if not more so. The mechanism available for that declaration is the Consumer Product Safety Commission. The commission has before it a petition proposing to ban this device as a harmful product. Unless it can somehow be demonstrated—which we strongly doubt—that on balance the Taser can make a decisive contribution to the security of law-abiding citizens, the Commission should approve the ban. The last thing today's proliferating civilian arms race needs it seems to us, is a high-voltage harpoon.

[From the Norristown Times Herald,
January 14, 1976]

WEAPON USED HERE BANNED IN CANADA

An electrical shocking device used to terrorize a Whitpain Township couple during an armed robbery last Thursday has been banned in Canada and at least one major city in the United States.

The Taser electric dart gun, sold for protection against crime, was used by four intruders to "scare" the couple and "obtain more information as to what was in the house," according to Whitpain Detective Sgt. Joseph Stemple.

The Associated Press said today that Canada announced Monday it will ban the Taser dart gun effective Feb. 1. New York City has already made it a crime to carry a Taser, a decision the manufacturer is protesting.

Canadian officials said they decided to make possession of the Taser a crime after tests of the gun failed to rule out the gun's capacity to kill.

Taser Systems, Inc., manufactures the \$199 weapon. It looks like a flashlight, though in

California it is officially termed a "gun" and must be registered and bear a serial number.

Sgt. Stemple said the four robbers gained entrance to the home about 5 p.m. after one of the men posed as a police officer investigating a burglary.

After the couple was tied up, Stemple said, "one of these guys shot them with this dart gun. They were both shot twice in the stomach. The darts stuck in the flesh. It's like a needle except it gives you a hell of a shock."

Township police have declined to identify the victims who were treated at Suburban General Hospital and released.

The four intruders fled with \$7,000 cash, \$4,000 in jewels, two .22-caliber rifles, and the man's Mercedes Benz which was later recovered by township police.

According to the Associated Press, the Montgomery County incident is not the first in which the Taser was used to commit a crime. Last September, a Taser was used to hold up a gas station attendant in Miami, Fla.

Alvin Simon, president of Taser Systems, said:

"All of our information, research and data indicate that it's nonlethal. We've been working on it since 1968 and everything bears out the fact that it's not lethal."

Simon said that although the gun has a rating of 50,000 volts at the source, it has such low amperage and wattage that its shock is relatively harmless. He said it has only three watts of power, less than in a Christmas tree bulb or an electric heart pacemaker.

Taser Systems has admitted that the weapon might cause serious injury to victims with heart or respiratory problems.

A dart is fired from the gun with a fine wire attached. Once the dart sticks in the target a button is pushed to emit the charge.

[From the Philadelphia Evening Bulletin,
Jan. 14, 1976]

"DEFENSE" DEVICE CAUSES A SHOCK

An electric dart gun, advertised as a means of preventing crime, was used to terrorize a Montgomery County, Pa., couple during a robbery last week.

Whitpain Township Police Detective Sgt. Joseph Stemple said four men gained entrance to the house of a Blue Bell resident last Thursday, bound the man and a woman and escaped with \$7,000 in cash, \$4,000 in jewels, two .22-caliber rifles and the man's 1975 Mercedes.

Stemple refused to divulge the names of the victims, but it was learned the man was Larry Baxter, a Philadelphia clothier.

Stemple said one of the intruders was carrying a "Taser Public Defender, a battery-powered weapon which discharges an electronic dart that gives a 50,000-jolt."

Stemple said the victims were shot three times each with darts as the robbers used the weapon to force the occupants of the house to tell them where the valuables were.

The victims, who were handcuffed and bound back-to-back with coathangers, and telephone wire, eventually worked themselves free enough to telephone police 2½ hours after their ordeal began.

They were treated and released at Suburban General Hospital.

Stemple said a man posing as a policeman who flashed a badge and said he was investigating a robbery, gained entrance to the house at 5 p.m. Thursday. The man pulled a handgun, held his victims at bay and let in three other men wearing ski masks.

One of the three was carrying the Taser. It looks like a long flashlight and is manufactured by Taser Systems Inc., which sells it for \$199 as an anticrime device.

New York City has made it a crime to

carry the Taser, a decision protested by the manufacturer, and Canada announced Monday, it would ban the weapon Feb. 1.

Last September, a Taser was used in the holdup of a service station in Miami, Fla.

Alvin Simon, president of Taser Systems, said the weapon is not lethal and although it has a rating of 50,000 volts, it has such low wattage and amperage that its shock is relatively harmless.

SUPERMARKET PRACTICES

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. DOWNEY of New York. Mr. Speaker, on Friday, January 16, I submitted testimony before the New York State Assembly Standing Committee on Consumer Affairs and Protection. The State of New York has taken action on the matter of supermarket practices. I was pleased to cooperate in the effort to draft adequate State legislation.

The testimony follows:

STATEMENT OF HON. THOMAS J. DOWNEY

Mr. Chairman, I wish to express to you and the members of your committee my appreciation for this opportunity to present testimony on my work concerning supermarket practices. I want also to commend Assemblyman Harenberg for his efforts in bringing the Committee to Suffolk County.

In recent years the public's attention has been drawn more and more toward business practices as they affect consumers. Only lately has this broad category of individuals, which encompasses every ethnic, racial, occupational, income and age group in the Nation, come together to assert its rights in the marketplace. I knew that Suffolk County consumers would benefit from a review of certain practices locally. Accordingly, I initiated a review of the retail outlets used directly by every family in Long Island supermarkets.

So that I could get a better idea of local supermarket practices, I conducted a one-day study under the direction of Brentwood High School teacher Thomas O'Connor, on Saturday, May 10, 1975. The findings from this survey raised questions which are relevant to what will be discussed here today. The goals of this exploratory study were to see: (1) what price variations existed between supermarkets within the same chain and (2) what price differences if any existed within certain socio-economic areas within the district.

The study was conducted in the Second Congressional District using a sample of seventeen supermarkets. In each of the supermarkets, a team of student researchers bought fifty-six items (both brand name and store-brand). Although this one-day study did not adhere to strict methodology usually required of social surveys, it did provide us with valuable information. We found, for example, ample evidence of upward price changing as a practice in many stores. This refers to repeated changes in price on single items already on the shelf. In some instances, as many as eight different prices appeared on one item. We found also that the much heralded unit price labeling approach was being undermined by inaccurate labels. Often the price of the item did not correspond with the unit price on the shelf. This practice must be corrected in order that the consumer not be kept in the dark.

The pricing of merchandise is essential in order to assure that the consumer can make a reasonable judgement when purchasing an item. Unit pricing—providing the price per standard weight or measure—helps consumers to compare prices without having to make complicated mathematical calculations while standing in the supermarket aisle. Although unit pricing does not consider differences in the quality of competing products, studies have shown that it can, if presented effectively, significantly reduce price comparison errors by consumers.

For example, the average percentage of correct choices (that is, the package which gave the most quantity for the least money) was twenty-five percent higher when unit pricing was provided. An added plus was that the average shopping time was significantly less, one study showed.

Although unit pricing is available in about fifty percent of the chain operated supermarkets and in twenty-five percent of the independent supermarkets, a common complaint from consumers was that retailers have not always presented unit pricing in a manner that is readily used and easily understood.

A number of factors combine to frustrate the hope that unit pricing originally offered shoppers: Variations in the number of products offered by individual stores or chains, problems in the design and maintenance of shelf labels, inappropriate units of measure, and lack of promotion and explanatory materials have all contributed to the ineffectiveness of unit pricing.

I endorse the concept of a more uniform system of unit pricing as well as consumer education stressing its uses and benefits. I believe that with a reliable unit pricing system consumers could more readily make both price-quantity and price-quality judgements. I believe that this becomes even more important during a period of rapid inflation when consumers are doing their best to keep their families' costs of living down. We should help them do that. A mandatory uniform program would reduce the obstacles limiting consumer awareness and understanding of unit pricing.

The survey also made a comparison among ten selected store-brand products in two stores within the same chain. (It was found that in this time of inflation consumers are buying fewer national brands turning instead to store brands.) A significant difference was found between the Pathmark stores in Islip (a middle income area) and the one in Brentwood (a lower middle income area). The findings are summarized in the following chart:

Items (storebrands)	Islip	Brentwood
Soda 12-oz. can	\$0.15	\$0.17
Chicken noodle soup 10 1/2-oz. can	.20	.19
Paper towels "jumbo" size	.47	.49
Steel wool pads 18-oz. box	.45	.59
French style string beans 15 1/2-oz. can	.26	.43
Baked beans 16-oz. can	.25	.26
Orange Juice (frozen) 6-oz. can	.20	.22
Sugar 5-lb. bag	1.59	1.79
Stew meat 1 lb.	1.59	1.99
Long Island potatoes 10-lb. bag	.59	.79

The most dramatic price difference we found within these Pathmark stores was for French Style Green Beans in a 15 1/2 oz. can. Surely it cannot be the transportation cost differential between Islip and Brentwood that is directly responsible for the 17 cent difference in the price of a can of beans. I would be very interested to know what fac-

tors Pathmark cites as the reason for this dramatic price range.

The total difference in price among the ten items was \$1.17. If the consumer had purchased these ten items at the Brentwood Pathmark on Saturday, May 10, 1975 he would have paid \$1.17 more than if he had bought the same items at the Islip Pathmark. Converting this to percentages, he would be paying twenty percent more for the exact same ten storebrand items in Brentwood.

Although our study was not as rigorous as others in the field, its results provide considerable evidence that significant price variations existed in local stores. The degree of these variations suggests that perhaps forces other than minor market fluctuations are responsible. Marked differences in pricing practices were seen in chain supermarkets located in different socio-economic areas. There was also evidence of price changing which, although legal, remains a questionable practice.

Another frequent complaint heard from consumers concerns the installation of computerized check-out systems that make it unnecessary for the supermarket's point of view to mark prices on individual items. Instead, the price of a product is stored in a computer in the store. Items in the store are marked with a "universal product code" (UPC) symbol. Since the computer "reads" the UPC symbol there is no need for a standard price label.

It is necessary, however, to have prices marked in order that consumers can (1) make comparisons between items while shopping, (2) be able to double-check the computer terminal at checkout and (3) identify, once home, the price paid for the item and compare with prices in previous weeks.

Although I do not object to the installation of the computerized checkout system, I do object strenuously to any attempt to take prices off packages.

Supermarket chains claim the system and the lack of prices will mean great savings to consumers. However, according to industry sources the savings from the failure to mark prices is minimal. I believe that basic price information is worth the minimal loss of some projected savings. A clearly marked price is a necessity.

According to supermarket advocates, price information need not appear on each item, for the data will be indicated on a shelf label. This is clearly inadequate to meet consumer's needs. A recent Federal study disclosed that shelf labels were missing for 10% to 20% of the products surveyed. (This failure to properly label shelves was also evident in our own survey.) In addition, there is no assurance that shelf labels will keep current with price changes made by the computer.

Computerization has been heralded as a highly significant advance in making supermarkets more economical. But there is no guarantee that savings would be passed on to the consumer.

In this time of soaring food costs consumers must retain the practical tools to stretch their food dollars. Individual pricing is one such tool.

I hope that with the information it receives here and elsewhere in the State, the committee will be able to draft remedial legislation for New York residents. I would also like to receive any suggestions the committee have for Federal legislation to improve the consumer's position in the marketplace.

YOU DARE TO SAY WE ABUSE OUR KIDS? ABUSE! NO! WE BEAT THEM HARD ONLY BECAUSE THEY MISBEHAVE!

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. KOCH. Mr. Speaker, the laws in this country declare persons of less than 17 or 18 years to be juveniles. These youths have less than full political and legal rights because our society deems them to be in a formative stage. Our culture says it is the responsibility of us, the adults, to provide for the children and inculcate proper values in them. Unfortunately, too many of the "adults" maltreat children; child abuse is a far-too-common phenomenon in the United States.

Family stress may result in child abuse, juvenile delinquency, runaways, et cetera. Many such "problem" children are institutionalized when, in fact, the "problem" is the entire family situation. We, the adults, are responsible for providing new, rational approaches for aiding the children and the parents. I have introduced, and 27 Members are cosponsoring, H.R. 10383 which authorizes State and local child welfare agencies to provide federally reimbursable day treatment and in-home services to emotionally disturbed children and their families.

The problem of child abuse is excellently discussed in the following article by Naomi Feigelson Chase printed in the New York Times of January 3, 1976. Ms. Chase is the author of the book, "A Child Is Being Beaten." She happens also to be a personal friend, so it is a special pleasure to be able to bring her superb Op-Ed article to the attention of our colleagues:

YOU DARE TO SAY WE ABUSE OUR KIDS? ABUSE! NO! WE BEAT THEM HARD ONLY BECAUSE THEY MISBEHAVE!

(By Naomi Feigelson Chase)

FRAMINGHAM, MASS.—In January, the Massachusetts Department of Social Services reported "an alarming increase" of child-abuse cases during 1974 and predicted that they would keep on rising. By June, Jack Hagenbuch, the department's coordinator of protective services, was saying that cases had nearly tripled. "In 1974 we were averaging 58 cases per month. This year it is more like 154, and still increasing."

The sudden rise, along with a staffing shortage, has produced a crisis situation. When unemployment increases, so does the number of families in trouble, and child abuse whatever its other causes is a symptom of family troubles.

The Massachusetts figures mirror a national picture: depressing images of bruised and broken children and angry, withdrawn and often terrified parents. It is a gloomy kind of family portrait in which many of us see a glancing resemblance to ourselves, because child abuse, besides its economic and societal roots, also has psychological undertones. Freud said in his essay "A Child Is Being Beaten" that the unconscious wish of adults to beat or harm young children is nearly universal.

In addition to economic and psychological causes of child abuse, the social climate of

the country is also a powerful factor in the incidence of it. Many people believe that our culture's widespread acceptance of corporal punishment, whether in private homes, public schools or custodial institutions, is an underlying factor in child abuse. The resort to violence as a way of settling scores, if not problems, is another factor.

Attitudes toward children are part of a whole texture of values that may vary greatly, even among neighboring cultures. Cruelty to children does not exist among the gentle Arapesh of New Guinea, whose whole value system is oriented toward making things grow, while their violent neighbors, the Mundugumor, practice infanticide and treat surviving children harshly, as they do each other. Likewise, while there is child abuse in Britain, France and West Germany, specialists in the field such as Ruth Sidel and Urie Bronfenbrenner have noted its apparent absence in such socialist countries as Sweden and China.

The number of children in America who die from child abuse is relatively small, but estimates of injuries cited in Congressional hearings on the 1973 Child Abuse Prevention Act range from 60,000 upward. Richard Light, a professor of statistics who includes severe neglect and sexual abuse in a study for the Harvard Educational Review, says one of every 100 children in America is victimized each year.

Certainly reported cases of child abuse have been increasing, though we have no idea if the increase in the last several years is a result of stricter reporting laws or other factors. There has been an increase in public and professional awareness and concern. Some people think that focusing on child abuse avoids dealing with the larger problems it implies.

For one thing, stiffer reporting laws do not really help much. Since few private physicians report child-abuse cases, the abuses reported are likely to be those known to public agencies, city hospitals and welfare services; they involve people at the bottom of the system, which in America are the minorities and the poor. The same is true in other countries—in New Zealand, for example, where child-abuse studies show the incidence is highest among Maoris and Polynesians, who form the lowest social class.

There are plenty of explanations for the fact that the poorest, the least educated, the worst housed people in a society, who usually have the largest families and experience the most stress, are likely to strike out at the children. Mr. Light, using data from sociologist David Gill's nationwide survey, shows the most common factor among abusing families to be the lack of jobs.

The theory of social deprivation is given equal weight by most United States experts with the theory of maternal deprivation. This argument is that a lack of mother-love as a child prevents the development of parental instincts and causes people, when parents themselves, to abuse their own children. However, if the definition of child abuse includes that which is meted out by caretakers in custodial institutions as well as that meted out by a competitive nonegalitarian violence-prone society, we must conclude that any attempt to eliminate child abuse has to go beyond social work "bandages."

In the short run we would do best to remove reported cases of child abuse from the jurisdiction of family court, which often as not orders that the child be removed to so-called "temporary" foster care. With the exception of some 5 percent to 10 percent of children whose parents are beyond help, most would be better off to remain in their home while the family got some assistance. Unfortunately, what most families need goes

beyond what social-work agencies have to offer.

An end to corporal punishment in all institutions serving children would be a start. Next, a real overhaul of our Federal assistance programs to families, including those that abuse children through the public-welfare system, where income maintenance is inadequate even as measured by the Bureau of Labor Statistics. Preventive health services under some nationalized health system are also an urgent need and should include prenatal health care and a mandatory visiting-nurse system, like Britain's. There should be a restructuring of schools and institutions that theoretically serve children but that too often stunt them instead.

And finally, there should be a decent minimal standard of living, based on a combination of full employment and a guaranteed annual income, which would do more to help children than any reform of the juvenile justice system.

EVERETT H. BLACK, DIRECTOR OF WEIGHTS AND MEASURES RETIRES

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. LAGOMARSINO. Mr. Speaker, Ventura County in California, has a distinguished gentleman, Everett H. Black, who for 27 years until September 1972, was its director of weights and measures. I suggest, Mr. Speaker, that this is a career in and of itself. However, Mr. Black served the county of Ventura for 7 years prior to this, beginning as a custodian in the agriculture office and rising to assistant sealer of weights and measures; and he continued to serve for 3 years after, until January 1976, as the county's consumer protection agency administrator. This for a total of 37 years.

During this period Everett Black served on numerous county, State, and national committees. He was and is active in his community and church, and has a consuming love for the outdoors and sports.

Mr. Black's contribution to Ventura County and the State of California has been great. He is responsible for Ventura County becoming the first general law county in California to have a consumer affairs division; and he helped pioneer a pilot program for variable frequency of inspection that is recognized and accepted worldwide.

On January 3, 1976, Mr. Black laid down the reins of responsibility, determined, and justly so, to enjoy the fruits of his labor. He has served with honor and distinction. Because of this singular dedication I ask the Members of the House to join with me, his wife Thelma, and daughters RoseAnn and Connie, in extending congratulations to Mr. Everett H. Black and to wish him many years of happy retirement.

REPORT ON U.S. ARMS SALES TO THE PERSIAN GULF

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. du PONT. Mr. Speaker, in recent years the U.S. worldwide arms trade has increased tremendously. In fiscal year 1974, U.S. foreign military sales deliveries totaled over \$2.9 billion. This represented a 90-percent increase over the fiscal year 1973 level of foreign military sales deliveries, \$1.38 billion, the approximate annual level of FMS deliveries since 1969. Current arms sales orders, running at \$9.5 billion in fiscal year 1975, indicate that the U.S. arms trade will continue to increase in the coming years.

Largely responsible for this tremendous escalation in U.S. arms sales and arms sales orders to foreign governments have been the vastly expanded military procurement programs of Persian Gulf nations. In fiscal year 1975, Iran, Kuwait, and Saudi Arabia ordered \$4.3 billion in U.S. defense equipment which was over 45 percent of the worldwide orders of U.S. arms sales orders during that year. This increase in U.S. arms sales orders placed by Persian Gulf nations has been financed by the tremendous oil revenues pouring into those countries since 1973. Financial power has given Persian Gulf nations the means to build military power.

The upward spiral in U.S. arms sales has provoked great concern in this country. There is a growing sentiment that these arms sales are increasing willy-nilly without effective controls and without an attentive analysis as to whether or not they might actually be disruptive of internal and international stability rather than fulfilling their intended purpose of promoting that stability.

In order better to understand the implications of U.S. arms sales which have been growing not only in terms of volume but also in terms of sophistication, I undertook, in May 1975, a study mission to Iran, Kuwait, and Saudi Arabia to examine U.S. arms sales to the Persian Gulf. I have recently issued my report of this trip in which I reach the following conclusions and make the following recommendations:

U.S. arms sales to the Persian Gulf countries are, and should remain, an instrument of American foreign policy in that region. However, the United States must define better the objectives and examine more carefully the impact of its arms sales to the Gulf countries and the risks engendered by those sales.

At present, the United States lacks a cohesive arms sales policy and considers arms sales on a case-by-case basis. As a result of inadequate procedures for considering an overall sales policy, the sale of U.S. arms has escalated to the point that Gulf states are annually ordering over \$4 billion in arms or, in other words, over 45 percent of annual worldwide sales.

In concluding that the United States should continue to sell military hardware

to the Persian Gulf, however, I would like to make the following recommendations:

1. The United States should formulate a comprehensive arms sales policy. This policy should take into consideration whether or not the sale of sophisticated weaponry is in the security interests of the United States.

2. The U.S. Congress should not impose a moratorium on U.S. arms sales to the gulf countries. Although a unilateral moratorium might at least temporarily end U.S. arms sales to the Persian Gulf, it would not limit the sale of arms to the gulf by other arms suppliers. In the long term, therefore, there is little evidence that a moratorium would substantially lessen arms procurement in this region.

In addition, a U.S. arms moratorium would damage American relations with the countries of this area who depend upon the United States for military counsel, assistance, and training, in addition to hardware. These countries would interpret a U.S. moratorium as evidence of a reckless disregard for their legitimate defense needs. A U.S. arms moratorium, therefore, would undermine the good relations in the Persian Gulf this country now enjoys.

3. The United States, as the major arms supplier to the region should initiate talks with the Soviet Union, France, Great Britain, and the other major arms suppliers to the Persian Gulf, in an effort to reach an arms limitation agreement for the gulf region. In these discussions, this country should attempt to promote an acceptance of a general restriction on the quantity and the sophistication of the arms sold to the gulf.

4. The United States should encourage regional security pacts among gulf states as an alternative to a spiraling arms race in the region.

5. The United States should attempt to avoid sole-source relationships in military procurement with Persian Gulf countries. An American monopoly of the arms market in a nation creates a dependency on American arms, technology, and training for that country's defense. This dependency relationship presupposes a U.S. responsibility toward that country's security, which could lead to a deeper American involvement in the area should military conflict occur. The United States should employ self-restraint in negotiating arms sales with Persian Gulf countries, keeping its share of each national market at less than 50 percent.

6. The United States should attempt to maintain cordial relationships with all gulf countries including those to which it does not supply weapons. The United States should avoid any involvement in regional disagreements and conflicts.

7. The United States should stress development of its nonmilitary exports to the Persian Gulf countries and should seek mutually beneficial investments in this area. Like arms sales, non-military exports benefit the U.S. balance of payments and job situation while they provide the gulf region with needed technology and training. They, therefore, promote good relations between the United States and the gulf countries. But unlike arms sales, non-military exports generate few potentially dangerous side effects and they pose few risks of destabilizing the region or involving the United States in local disputes.

THE UNIVERSITY OF TEXAS IN AUSTIN IN FOREFRONT OF SOLAR ENERGY MOVEMENT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. PICKLE. Mr. Speaker, those who have been close students of the energy problems our country has faced recently are well aware that fossil fuels are a finite source. At best, we perhaps have 25 to 30 years supply of domestic oil and natural gas remaining.

Accordingly, development of alternative sources of energy is mandatory. Certainly one of the most viable of these alternate approaches is solar energy.

The University of Texas in Austin has been one of the Nation's leading centers of research helping solve our future problems in the field of energy.

The following articles which appeared in Monday's New York Times, January 19, 1976, describe the growing role of solar energy and the part that Austin, Tex., has in this continuing story:

SOLAR HEAT TEST PLANNED ON \$1 MILLION IN GRANTS

(By Ernest Holsendolph)

WASHINGTON, January 18.—The Department of Housing and Urban Development will grant \$1 million for the installation of solar units in 143 housing and apartments in various communities around the country.

In announcing the plan today, the H.U.D. secretary, Carla A. Hills, said that the installations would mark the first large-scale test of solar energy technology in housing.

Mrs. Hills made the announcement in Dallas at a meeting of the National Association of Home Builders. The text of her address was made available here.

Fifty-five builders, public agencies and universities were selected from a field of 250 applicants to take part in the demonstration by putting solar units into dwellings they own or are constructing.

Some solar units will provide home heating only, some hot water only, and some a combination of the two. Only five installations will provide heating, cooling and hot water, according to H.U.D.

SUFFOLK COUNTY HOUSE

None of the installations announced today will be in New York City, but the Long Island Savings Bank will build a house with a heating and hot water unit in the Mt. Sinai community in Suffolk County.

The Newark Housing authority will receive heating and hot water units for six attached houses. Additional public housing authorities that will take part include St. Petersburg, Fla.; Pueblo and Colorado Springs, Colo.; Santa Clara, Calif.; the Creek Nation Housing Authority in Okmulgee, Okla., and the Blackfeet Tribe Housing Authority in Browning, Mont.

Drexel University and the University of Pennsylvania in Philadelphia will put solar units in student housing units.

Mrs. Hills said that the department expected the solar tests to be "a major factor in alerting the country to the potential energy savings that can be accomplished through the effective use of solar energy."

Prices of solar units range from as little as \$1,875 for a hot water system in a de-

tached house in Vienna, Va., to \$29,581 for an installation in Austin, Tex., that provides heat, cooling and hot water.

H.U.D. plans to release a second cycle of grants for solar installations for later this year, when it is hoped that more advanced equipment will have been developed for home use, the department said.

Testing of home solar systems was originally a responsibility of the Energy Research and Development Administration, but it was transferred to H.U.D. It was authorized in the Solar Heating and Cooling Demonstration Act of 1974.

SOLAR POWER USE RISES SLIGHTLY, BUT COST STILL POSES OBSTACLE

TUCSON, ARIZ., January 18.—The use of solar energy is only in its infancy, but already sunlight is heating, cooling or doing both for more than 200 United States homes and a dozen or more office buildings, mostly in the sunny Southwest.

Sunshine machines are heating swimming pools, operating a few highway construction warning lights, powering a handful of buoys on waterways, and electrifying a United States Park Service restroom in Yellowstone National Park.

Since the 1940's, a Florida company has been installing rooftop solar heat collectors. At a cost of up to \$1,500 a unit, to heat water in homes. And the sun both warms and cools an Atlanta school, a New Hampshire Federal office building, a Texas college dormitory and a New Mexico laboratory.

TWENTY-THREE COMPANIES IN BUSINESS

At least 23 companies are selling solar heat collector panels to heat and cool homes or to heat water.

The glass and metal panels, which are usually placed on rooftops, cost from \$100 to more than \$500 each, and a three- or four-bedroom home requires a dozen or more.

Nobody knows exactly how many have been sold, but one expert, in a "very rough estimate," said it was "no more than a few million dollars' worth this year."

Arthur D. Little, Inc., a research concern, estimates that solar power equipment will be a \$1.3 billion industry by 1985 and more than a million homes will use sunlight for heat, air conditioning, or to generate electricity. But less than \$60 million was spent in 1975 on solar energy, an Associated Press check indicates, and most of that was Federal funds.

Despite the promise of solar energy, and the technology to use it, the economics of sun power is a major obstacle. So far, solar energy systems are more expensive than fossil fuel systems.

Engineers and scientists say that solar energy on a wide scale is now technically possible.

The amount of energy from the sun is immense. Experts estimate that the sun showers the earth with about 100 times more energy each hour than man has used throughout history.

But even for relatively easy jobs, such as water and space heating, sun power is costly, mostly because of the large storage units that are necessary to keep a solar system running when the sun is not out.

In Tucson, which has one of the nation's best climates for the use of solar energy, Ernest Carreon, a builder, estimates that a sun-power heating system in a three- or four-bedroom home adds roughly \$5 a square foot to the cost of the house.

He built a 1,200-square-foot home with a solar system. The cost was \$45,000. He said it would have been \$39,000 or \$40,000 with a conventional heating system.

"The solar system will pay for itself

[through energy savings] in 11 years at today's electrical rates," Mr. Carreon says, "but it would take 62 years at today's natural gas prices."

INSTALLATION EXPENSIVE

The cost of installing a solar energy unit to heat and cool a 2,000-square-foot house in Austin, Tex., is about \$12,500, or \$11,000 more than a conventional system burning fossil fuels, says Dr. Gary Vliet, a University of Texas professor.

Much of this cost is in the water storage tanks holding 8,000 to 12,000 gallons, buried and insulated, that are needed to store heat for an average home in a moderate climate for up to three consecutive cloudy, sunless days.

However, Dr. Vliet estimates that mass production and other factors could bring the cost down to \$8,600 within three years.

"Right now, about the only people who can afford solar energy are those who want to do it [build solar-powered systems themselves]," said Dr. Aden Meinel, a University of Arizona scientist who is a well-known solar energy expert.

The simplest systems, and the most commonly used today, are called flat plate collectors. They look like sandwiches three to six feet by eight to 10 feet, and they are made of glass, metal and insulation. A clear top layer of glass or plastic allows sunlight to strike a metal panel. The panel, painted black, concentrates the heat. Liquid-filled tubes or moving air carries the heat to a storage system that can be a buried tank of water or a basement full of rock.

Despite the possibilities, widespread use of solar power is limited by the complex factors that influence the nation's energy use. There is cost, investment in existing energy industries, the availability of other fuels, financing, building and construction standards, public acceptance, and even the legal question, "Who owns sunlight?"

Tax incentives are being used in several states and in some cities to encourage use of solar energy. New Mexico, for example, gives tax rebates to help cover the cost of solar installations.

A report prepared for New York City says it may be one of the first localities where solar energy becomes economically attractive because of the high electricity rates there.

VOTING RECORD OF CONGRESSMAN JONATHAN B. BINGHAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. BINGHAM. Mr. Speaker, at the end of the 1st session of the 94th Congress I missed several rollcall votes. I wish to record here what my position would have been had I been recorded as voting:

Rollcall No. 818, motion to pass H.R. 9771, airport and airway development; "yea."

Rollcall No. 820, motion to suspend the rules and pass House Resolution 943, medicare amendments; "yea."

Rollcall No. 821, motion to suspend the rules and pass House Resolution 944, social security appeals; "yea."

Rollcall No. 822, motion to postpone until January 27, 1976, the consideration

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of the veto of H.R. 8069, Labor-HEW appropriations, fiscal year 1976; "yea."

Rollcall No. 823, motion to agree to House Resolution 939, allowing a simple majority to adopt House reports for the remainder of the first session; "yea."

Rollcall No. 824, motion to agree to House Resolution 945, providing for meetings on Tuesday and Thursday for the remainder of the first session; "yea."

Rollcall No. 827, motion to suspend the rules and concur with an amendment in the Senate amendment on H.R. 9968, tax reduction extension; "yea."

Rollcall No. 829, motion to agree to the conference report on S. 2718, railroad reorganization; "yea."

INTEGRITY IN THE BUSINESS LANDSCAPE

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. DENT. Mr. Speaker, I am calling to the attention of our colleagues a column entitled, "Integrity in the Business Landscape," which appeared in the December 15, 1975, issue of the New York Times. The column excerpts remarks presented by Mr. Stanley Marcus, a noted and successful Texas businessman, who has demonstrated an attitude sufficiently progressive and refreshing so as to command the attention of all objective observers.

Mr. Marcus' remarks follow:

INTEGRITY IN THE BUSINESS LANDSCAPE

(By Stanley Marcus)

There is a massive loss of faith in the business community by the American people—and perhaps a loss of faith on the part of businessmen as well.

Let's not kid ourselves into believing that the negative attitude toward business is merely part of an "anti-Establishment" mood throughout the nation. It is a lot more specific than that—and a lot more justified than that.

Americans still believe in the free-enterprise system. They have no quarrel with profit-making. But they do have a quarrel with unethical and questionable business practices conducted at the public expense.

They do have a quarrel with companies which pollute our water and air and are apparently indifferent to the hazards of pollution until the Government intervenes.

They do have a quarrel with that majority of businessmen who have fought and obstructed and delayed every piece of progressive legislation enacted during this century.

Who among the business community today would seriously propose that Congress repeal our child-labor laws—or the Sherman Antitrust Act? The Federal Reserve Act, the Security Exchange Act? Or workman's compensation? Or social security? Or minimum wage? Or Medicare? Or civil rights legislation?

All of us today recognize that such legislation is an integral part of our system; that it has made us a stronger, more prosperous nation—and, in the long run, has been

good for business. But we can take precious little credit for any of the social legislation now on the books, for business vigorously opposed most of this legislation.

I wonder sometimes if we really believe in the free-enterprise system. When those who have the greatest stake in it often turn out to be its greatest enemies, I wonder if free enterprise can survive.

Can it survive when some of its greatest proponents seem determined to strangle the life force of the system—competition—with such practices as collusive bid-rigging and price-fixing?

Can free enterprise survive inaccurate, misleading, or "unexpected" financial reporting? Or auditors who violate their code of ethics to help companies falsify financial statements and perpetrate a massive swindle, running into the hundreds of millions of dollars, that involved inflated assets, sales and earnings, fraudulent insurance policies, nonexistent securities, and the collection of death benefits on coverage that never existed?

What are we to think—not just of the executives behind the fraud and the auditors who helped them—but of the dozens of employees who knew about the fraud but did nothing, and the powerful investors who benefited from the inside information?

Can free enterprise survive companies which flout the law by making illegal political contributions with corporate funds? Is it any wonder that 53 percent of our population believes that the large corporations should be broken up when they read that in 1972 seven companies alone contributed nearly a half-million dollars to the Committee to Re-elect the President?

It does no good to try to justify these contributions—as some have done—as the cost of doing business with the Government. Other companies refused to give—and they're still in business.

I am well aware of the fact that the twin movements of consumerism and reform have put the spotlight of publicity on business wrongdoing, and have also conditioned the public to expect a higher standard of ethics from business at all levels.

I also recognize that communications have improved so vastly that a crime committed in Duluth becomes known in Dallas the night it is discovered. Fifty years ago, it might have taken the people of Dallas six months to learn that such a crime was even committed. So I don't think that business is worse. It's just that our flaws show up much faster today than they used to.

But that is small comfort when we continue to read about shoddy products or services which do not live up to their claims. Or when the people become victims of false or misleading advertising, poor service, unnecessary repairs, or meaningless warranties.

These practices pose a moral dilemma for our nation in general and for the American business community in particular. Our culture is based on the Judeo-Christian code of ethics, which espouses lofty moral standards of fair and honest dealing. Now, however, we seem to have revised those standards. We still talk about dealing honorably and forthrightly with people. But we're now saying that we believe in this credo domestically, but it doesn't count overseas. In other words, to hell with the foreigner; we insist on honest scales at the supermarket but not for overseas shipments of grain.

I don't believe we can get away with that. I don't believe a double standard works, whether you're an individual, a corporation, or a nation.

RETURN OF THE SPOILS SYSTEM

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MICHEL. Mr. Speaker, those of us from Illinois have I think a special understanding of the importance of the Hatch Act, the law which prohibits Federal employees from engaging in political activity.

Having observed the actions of Chicago City Hall for many years, we know what kind of abuses are possible when Hatch Act provisions are absent. A cogent analysis of the problems with the Hatch Act repeal effort, citing the Chicago example, appeared recently in the Christian Science Monitor, and I would like it printed here in the RECORD, so that my colleagues might have the benefit of seeing it:

RETURN OF THE SPOILS SYSTEM

The United States House has passed and sent to the Senate a measure which would effectively destroy the 1939 Hatch Act in the name of reforming it.

If the measure is enacted, a large part of the federal government's huge work force of 2.8 million employees could be turned into a vast patronage army similar to the Daley machine which has dominated Cook County politics for the last two decades.

The Hatch Act came about in response to the patronage abuses and political coercion rampant in the New Deal public jobs programs of the 1930s.

It was obvious that these abuses could not be curbed simply by making it illegal for public officials to order their employees to perform political work. The bosses could always find ways to "persuade" the employees to take part in political action on a "voluntary" basis.

The Hatch Act served to eliminate this evil by making it illegal for federal employees to perform political work even on a "voluntary" basis, immunizing them from any kind of pressure.

It is this protection that the "reform" measure, sponsored by Rep. Bill Clay [D., Mo.], would remove. Though there would still be some minor restrictions on the kind of political activity in which federal employees participate, they could be sent into the precincts to get out the vote on a voluntary basis.

Under a federal court order, municipal employees in Chicago can only voluntarily do political work. They do so in swarms—every election—or else.

As Rep. Edward Derwinski [R., Ill.] who led the opposition to the Clay measure, pointed out, there are other evils in the proposal. Democratic businessmen could find their tax returns audited by an Internal Revenue Service agent who doubled as a Republican ward leader.

A survey taken by the National Federation of Federal Employees of its members a few years ago found 89 percent supporting the Hatch Act and only 1 percent favoring its repeal. The Clay measure was opposed by the federation, as well as by the U.S. Civil Service Commission, the Postal Service, the comptroller general, the IRS, and the FBI.

Yet the measure was steam-rollered through the House by a vote of 288 to 119. This is a reflection of the Democrats' 2 to 1 margin of power in the House and the massive support given the measure by Big Labor. Interestingly, many federal workers belong to public employee unions and most are considered to be Democrats.

Should the bill be passed by the Senate, it faces an expected veto from President Ford. An override by the House could be prevented if enough of its members are made to see what a monster they are creating.—

WORLD AFFAIRS COUNCIL

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mrs. HOLT. Mr. Speaker, many of us recently received a letter from the World Affairs Council of Philadelphia, inviting Members of Congress to participate in a ceremonial signing of "A Declaration of Interdependence" on January 30 in Congress Hall, adjacent to Independence Hall in Philadelphia.

A number of Members of Congress have been invited to sign this document, lending their prestige to its theme, but I want the record to show my strong opposition to this declaration.

It calls for surrender of our national sovereignty to international organizations. It declares that our economy should be regulated by international authorities. It proposes that we enter a "new world order" that would redistribute the wealth created by the American people.

Mr. Speaker, this is an obscenity that defiles our Declaration of Independence, signed 200 years ago in Philadelphia. We fought a great Revolution for independence and individual liberty, but now it is proposed that we participate in a world socialist order.

Are we a proud and free people, or are we a carcass to be picked by the jackals of the world, who want to destroy us?

When one cuts through the high-flown rhetoric of this "Declaration of Interdependence," one finds key phrases that tell the story.

For example, it states that:

The economy of all nations is a seamless web, and that no one nation can any longer effectively maintain its processes of production and monetary systems without recognizing the necessity for collaborative regulation by international authorities.

How do you like the idea of "international authorities" controlling our production and our monetary system, Mr. Speaker? How could any American dedicated to our national independence and freedom tolerate such an idea?

The declaration goes on to urge a strengthening of the United Nations and a broadening of the jurisdiction of the World Court, "that these may preside over a reign of law that will not only end wars but end as well the mindless violence which terrorizes our society even in times of peace."

Examine this closely. It suggests that world government will somehow cure the problems of crime and terrorism, not just the problem of war. Quite obviously, the sponsors of this declaration have lost all contact with reality.

Mr. Speaker, we have lately witnessed the United Nations organization in full cry against America and her allies of the

Free World. We have watched the U.N. become an instrument of the Soviet Union and its shabby following of despots large and small.

America should never subject her fate to decisions by such an assembly, unless we long for national suicide. Instead, let us have independence and freedom.

A major threat to world peace is the Soviet Union, which imposes slavery on its people and devotes its economy to the single task of building a war machine to extend that slavery throughout the world.

It subverts governments of independent nations; it arms and impels its subservient client states to wage wars of conquest against their neighbors.

Mr. Speaker, there is one force that preserves freedom where it still survives in this world, and that is the strength of the United States. To the extent that we maintain a powerful, credible economic and military deterrent, we shall also have peace.

The Soviet Union seeks world empire. America asks only that free peoples remain unmolested by the slavemasters of the Kremlin.

If we resist the expansion of the empire that threatens to dominate the world and destroy the independence of every nation, we shall be fulfilling the ideas of our Declaration of Independence.

If we surrender our independence to a "new world order" dominated by the Soviet Union and its clients, we will be betraying our historic ideals of freedom and self-government.

Freedom and self-government are not outdated. The fathers of our Republic fought a revolution for those ideals, which are as valid today as they ever were.

Let us not betray freedom by embracing slavemasters; let us not betray self-government with world government; let us celebrate Jefferson and Madison, not Marx and Lenin.

THE SHRINERS

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MONTGOMERY. Mr. Speaker, one of the most rewarding aspects of my membership in the Shriners is to see the results of the medical treatment provided in the 19 orthopedic hospitals and three burn institutes sponsored by the Shriners. The accomplishments of these outstanding institutions was brought forcefully to my attention during the Shrine ceremonial held at Hamasa Temple late last year.

At this time, Noble James Skelton, of Meridian, a past potentate of Hamasa Temple, introduced Dewayne Stephens to his fellow Shriners. Young Dewayne had been receiving treatment at the Shrine Hospital in Shreveport for a very serious deformity of the lower legs which caused his feet to turn inward and upward. Thanks to the work of the Shrine Hospital, the prognosis for Dewayne is that he will be able to lead a completely

normal life thanks to the corrective braces he is now wearing.

I am proud of the work being done by Shriners in my own area, such as the Hamasa Temple, who sponsor worthwhile events to provide the financial resources to keep these hospitals going. It was also in late December that the Hamasa Temple sponsored the annual Shrine football game in Meridian, Miss., which netted \$38,000 to be donated to various Shrine hospitals. I feel this is a perfect example of Americans helping their fellow Americans to overcome medical problems.

AIRPORT BOMBING

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MARTIN. Mr. Speaker, the bombing of an airport facility resulting in loss of life should be punished with a mandatory death sentence.

The bombing of the terminal at La Guardia Airport just after Christmas has left our Nation stunned and angry; our law enforcement agencies puzzled and frustrated; our air travelers fearful of their vulnerability to further terrorist acts; and the "crazies" among us overstimulated in a way that leads to a rash of similar threats, hoaxes, and perhaps even bombings.

Prompt action is needed to firmly head off any outbreak of such tactics by people who seek to dramatize their demands or call attention to their unacceptable political theories, or bring this country to its knees. To respond softly will only encourage the repeated use of such rabid violence, holding innocent lives hostage for radical purposes.

The President has moved quickly to bring together all enforcement agencies to press their investigations and to compare any leads to find ways to deal with what appears to be the potential for increasing numbers of terrorist activities at our Nation's air transportation facilities. Congress must also respond. It is time for us to make clear that such acts will not be tolerated, that anyone convicted of bombing an airport resulting in the loss of life will be given the death sentence. Congress should not hesitate to tell the world that terrorist bombings of airport facilities will be met with a single and final punishment. We should move quickly with this and other legislation that hopefully will act as a deterrent to those who think America will cringe and cower while they commit and threaten such atrocious acts.

Accordingly, I have drafted such a bill which I am introducing today, and will immediately begin seeking cosponsors.

The death penalty presents harsh punishment, with total finality, and so should only be used for especially heinous and irredeemable crimes, like kidnapping, airplane hijacking, certain acts of trea-

son, and so forth. In my view, willful slaughter by bombing a crowded air terminal is another justifiable occasion for the extreme penalty. These are acts of mad dogs and must be treated as such. If you bomb the hangar, we hang the bomber.

After the LaGuardia Airport bombing, my constituents asked me what Congress could do about it. Quick passage of this legislation should be their answer.

GUIDELINES FOR FBI

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. EDWARDS of California. Mr. Speaker, I wish to announce that the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary will initiate hearings on February 3, 1976 under its legislative jurisdiction over the Federal Bureau of Investigation.

Edward H. Levi, the Attorney General of the United States, recently released his proposed guidelines for the FBI in relation to domestic security investigations. Now the Congress must get down to the serious business of making determinations with respect to the authority of the FBI and the specific policies it must follow.

Oversight hearings, both in the House and the Senate, have revealed the multiple problems encountered by citizens as a result of FBI activities not clearly permitted by statute or the Constitution nor previously subject to effective supervision by the Congress or by the Department of Justice.

We intend that through a hopefully cooperative effort, the Congress and the Department of Justice will develop the guidance which will serve both our citizens' interests and the FBI's lawful pursuits.

Our first witnesses will be Attorney General Edward H. Levi and Director of the Federal Bureau of Investigation Clarence M. Kelley, who will appear in room 2141 of the Rayburn House Office Building beginning at 9:30 a.m. on Tuesday, February 3, 1976.

On February 24, 1976, the Comptroller General of the United States, Elmer B. Staats, will present the final report of the General Accounting Office on their study of the domestic intelligence activities of the Federal Bureau of Investigation. This will be followed by additional hearings to assist in framing a useful and rational legislative response to the problems now apparent in certain operational areas of the FBI.

Any interested persons who wish to comment or offer suggestions should direct their statements to the Subcommittee on Civil and Constitutional Rights, House Committee on the Judiciary, 2137 Rayburn House Office Building, Washington, D.C. 20515.

BANKRUPTCY ACT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. EDWARDS of California. Mr. Speaker, I wish to announce that the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary will continue its series of hearings on H.R. 31 and H.R. 32, bills to revise the Bankruptcy Act. H.R. 31 was drafted by the Commission on the Bankruptcy Laws of the United States, a congressionally created commission that studied the current bankruptcy system, and proposed statutory reforms. H.R. 32 was drafted by the National Conference of Bankruptcy Judges in response to what the judges felt were inadequacies in the Commission's bill. The subcommittee has been studying these two proposals for over a year, and has been holding an in-depth series of hearings since last September. We expect to continue these hearings through the middle of April, and to report out a bill to the Judiciary Committee by June. I ask that our schedule of hearings be printed in the Record.

The subcommittee continues to receive many comments from the bar and bench, and from the public at large, on these two bills. We welcome these comments, for they have been very useful in helping us to understand the specific problems that people are confronted with during the bankruptcy process. The subcommittee urges any interested persons who wish to comment on these bills to send their comments to the subcommittee soon, so that we may consider them when we mark up these bills.

Address: Subcommittee on Civil and Constitutional Rights House Committee on the Judiciary, 2137 Rayburn House Office Building, Washington, D.C. 20515.

The material is as follows:

TENTATIVE SCHEDULE OF HEARINGS ON H.R. 31 AND H.R. 32, BILLS TO REVISE THE BANKRUPTCY ACT

January 29, 1976—Dischargeability of Educational Loans:

Hon. John N. Erlenborn (R-Ill.).

Hon. Ray Thornton (D-Ark.).

Sheldon Steinback, American Council on Education.

Kenneth Kohl, United States Office of Education.

January 30, 1976—Wage Earner Plans:

Duncan H. Kester, President, National Association of Chapter XIII Trustees.

Professor Vern Countryman, Harvard Law School, for the National Bankruptcy Conference.

February 9, 1976—Tentatively Consumer Bankruptcies: John Honsberger, Esquire, of Raymond & Honsberger, Toronto, Ontario.

February 16, 1976—Consumer Bankruptcies:

Paul Winkler, Legal Clinic, Los Angeles, Calif.

James S. Parks, Parks Finance Company, Roanoke, Virginia.

February 20, 1976—Consumer Bankruptcies:

Andrew F. Leoni, Esquire, Los Angeles, California.

George Rittner, Esquire, San Diego, California.

Robert Ward, Esquire, Oakland, California.
February 23, 27; March 1, 5, 8, 12, 19, 22, 26,
29; April 2, 5, 9, 12, 14.

Business Bankruptcies and Reorganiza-
tions—8 days.

Stockbroker Bankruptcies—1 day.

Railroad Reorganizations—3 days.

Transition Provisions—1 day.

Conflict of Law Provisions—1 day.

Tax Provisions—1 day.

SCIENTISTS ADVISE CAUTION ON NUCLEAR ENERGY

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. SIMON. Mr. Speaker, during the congressional recess Prof. Bruce von Zelen of Northern Illinois University at DeKalb sent me a clipping from a paper called Critical Mass which points out that 62 percent of the members of the Federation of American Scientists favor either zero growth or a halt in new construction of nuclear powerplants.

That poll seems to me to be a further indication that some caution is needed as we proceed in nuclear energy development.

The article follows:

SCIENTISTS POLL: 62% FAVOR NUCLEAR
SLOWDOWN

The Federation of American Scientists (FAS) released the results of a poll on December 8, 1975 showing that 62% of its respondents favored either a zero growth or a halt in new construction of nuclear power plants.

The poll, a survey of the 7,000 members in FAS, provided four alternative possibilities: Rapid Advance—10% or more annual growth rate in nuclear reactors; Go slow—3% to 7% advance in nuclear reactors; Moratorium—zero rate of growth for a number of years; and Phase Out—a halt to new construction of nuclear plants and phasing out of existing commercial nuclear reactors.

Of those balloting, the choice was:

	Percent
Rapid advance.....	16
Go slow.....	21
Moratorium.....	36
Phase out.....	26

The membership of FAS, born as the Federation of Atomic Scientists, contains scientists of all kinds. The most recent survey suggested that the interdisciplinary membership was divided as follows: Physics, 20%; Medical Sciences, 16%; Chemists, 15%; Biologists, 15%; psychology, 7%; and Engineering, 7%, with other disciplines smaller.

A total of ten percent of the FAS membership responded, a statistically normal sampling.

The Federation had polled its membership only after the members had received, over several months, four different 8,000 word Reports on various aspects of nuclear power. Members had been provided, on the ballot, capsule summaries of the four different positions on atomic power each drafted under the supervision of a champion of that position.

NINETY-THREE PERCENT BUSED FOR NONRACIAL REASONS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. CLAY. Mr. Speaker, Congressman AUGUSTUS HAWKINS recently in a Boston Globe writing stripped the antibusing argument of much of its hypocritical gloss, and displayed it with efficient subtlety for what it is—or at least for what it is not. I commend his well-reasoned article to my colleagues attention and now insert it in the RECORD:

NINETY-THREE PERCENT BUSED FOR NONRACIAL
REASONS

When a school desegregation case gets to court, and the court orders busing, the court has listened to a great deal of evidence.

The court has to decide what is best for the welfare of the school children involved and it must weigh the matter of how to desegregate a school, on the basis of the educational value of such busing. When it has decided that busing is the only way to equalize educational opportunity, and it mandates the transportation of school children, it also realizes the pitfalls inherent in its action.

At this point, it is then up to the citizens to obey the court, even if they disagree with it. This is the American way. And it is the only way in which this nation can survive.

Busing is not a new element in education. American school children have always been involved in some kind of busing. In 1974-75, 50.2 percent of the nation's 41.4 million school children were bused. And of this percentage, only 7 percent were being bused for reasons of racial desegregation.

In other words 93 percent of those being bused were being bused for non-racial reasons.

This is really an amazing fact, especially when one considers the furor raised just at the mention of the word busing. The concern for the issue then, abounds in a special kind of hypocrisy when one realizes that of 41.4 million school children, only 2.9 million are transported to schools outside of their immediate communities for race-balancing reasons.

If there was genuine concern for every form of busing, then the anti-busing people would be equally uptight about those 17.8 million children who also get bused daily to schools of their immediate communities for reasons having nothing to do with racial balance.

I have not heard of any such confrontations. It makes one wonder.

But all is not lost in the effort to use busing as a tool among many others to enhance a child's education.

Most communities in America, facing the busing issue, have done it head on, and with a great deal of honesty and valor. To their enormous credit, even under tremendous anxiety and stress, they have realized that adjustments can be made and that the major goal is providing all youngsters with maximum opportunities in this multi-racial, multi-ethnic society.

In this regard, the city of Berkeley, Calif., has had much to be proud of in a desegregation effort that was relatively quiet and efficient. Its educational system is one of the best in the nation; the varied colors of their school populations have enhanced their commitment.

Sacramento, Calif., also has much to com-

mend it, for its fine efforts in achieving a desegregated school system. The vast majority of school children now attending formerly segregated schools have had the benefit of effective leadership, which was not stamped by the emotionalism of the busing issue.

This leadership constitutes the good guys. We need more of them.

FREEDOM TRAIN VISITS LONG BEACH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ANDERSON of California. Mr. Speaker, on January 5-8, the people of Long Beach, Calif., were visited by a rolling collection of Bicentennial memorabilia. During those days, the American Freedom Train opened its doors to residents of the harbor area.

Managed by the nonprofit American Freedom Train Foundation of Massachusetts, the exhibit is designed to accommodate about 16,500 people a day. That capacity was strained to the limit during its stay in Long Beach, as thousands of our local citizens came to experience this unique slice of American heritage.

The following article from the Long Beach Independent Press-Telegram January 6, 1976, gives an excellent account of the Freedom Train's visit to our local area:

BUT "TOO FAST," MANY SAY—LONG BEACH
HAILS FREEDOM TRAIN

(By Kris Sherman)

Hundreds of Southland residents shivered in the cold night air Monday for an all-too-quick tour of the American Freedom Train.

Lines began forming in front of the red, white and blue train—which steamed into Long Beach at about 8 a.m.—two hours before the doors were officially opened at 6 p.m.

The 25-car train, sponsored by the nonprofit American Freedom Train Foundation of Massachusetts, will remain near the Queen Mary at Pier J through Thursday. It contains documents, artifacts and memorabilia from 200 years of American history.

Public tours will be conducted from 8 a.m. to 10 p.m. today through Thursday. Admission is \$2 for adults and \$1 for children 3 through 12 and persons over 65.

Visitors to the train's 10 exhibit cars Monday found themselves entering an atmosphere that could almost be described in science fiction terms as a "time warp."

As a conveyor belt—or moving sidewalk—carried spectators through the narrow train car aisles, a barrage of exhibits, lights and sounds transported them on a kaleidoscopic journey through America's history.

Each of the 10 exhibit cars adheres to a specific theme—The Beginning; Exploration and Transportation; Growth of a Nation; Origins; Innovations; Human Resources; Sports; Performing Arts; Fine Arts, and Conflict and Resolution—but all span more than just a few years of history.

Among exhibits—culled from 200 museums throughout the country—abroad the train are a 1756 copy of "Poor Richard's Almanac," Benjamin Franklin's handwritten draft of the Articles of Confederation, the Louisiana

Purchase document, Astronaut Alan Shepard's Apollo space suit and a rock from the moon.

There is also an original ink drawing of Orville and Wilbur Wright's biplane, the original manuscript of the "Battle Hymn of the Republic" by Julia Ward Howe, James Monroe's dueling pistols, the baseball bat with which Henry Aaron hit his 714th career home run, tying Babe Ruth's record; Rudolph Valentino's jeweled jacket from the 1922 movie, "Blood and Sand," and several of Franklin Delano Roosevelt's declassified documents from World War II.

The trip through the train, however, is short—a Freedom Train official said the average tour takes about 22 minutes—and there is no time for rubbernecking or second looks at the exhibits.

Officials said the exhibit was purposely planned that way to accommodate the greatest number of people. A spokeswoman said about 1,200 people an hour, or about 16,500 people per day can tour the train.

More than three million persons have passed through the train since it began its 17,000-mile Bicentennial journey at Alexandria, Va. last March. It will complete its tour of the nation next December after having stopped at more than 100 cities in 48 states.

Area residents viewing the train Monday night said they realized that spectators had to be moved through fast to accommodate all who want to see the train, but they still complained they were forced to go through "too fast."

"I really enjoyed it," said Carolyn Brockman of Long Beach. "But the walkway moved too fast. There was no time to stop and look at the exhibits."

Gene Sherer, his wife, Winnie, and two children, Tim, 10, and Troy, 6, said they "thought the train was interesting" but added that they "wish there had been more original documents."

Others said they "wouldn't have missed" the train, calling it a "once in a lifetime experience."

But there were those who, after viewing the train, said they weren't happy with the Disneyland-style commercialism, the bank of souvenir stands and the long wait.

"The walkway moved entirely too fast," said Betty Wenholz of Lakewood as she emerged from the train with her husband, Joe, and children, Glenda, 13, and Bruce, 9.

"We probably wouldn't have come if we'd known it was like this," she added. "We could see more in a museum," her husband added. "The way they move people through there, it's kind of a ripoff. You don't really get a chance to absorb everything."

The Wenholz children said they would advise their schoolmates against spending the time and money to see the train.

A local elementary school teacher, meanwhile, said she "could wait another 100 years to see it."

But despite the negative comments, most of those emerging from the train and hurrying toward the souvenir stands said they felt they got their money's worth.

"It's part of America," said one elderly woman. "I thought it was wonderful. I don't see how anyone could not like a part of America."

UKRAINIAN WOMEN POLITICAL PRISONERS

HON. WILLIAM M. BRODHEAD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. BRODHEAD. Mr. Speaker, the members of the Ukrainian community

of Metropolitan Detroit have issued a strong resolution in defense of Ukrainian women political prisoners in the U.S.S.R.

The resolution is an eloquent declaration of human rights and I recommend that Members read it and act accordingly:

UKRAINIAN WOMEN POLITICAL PRISONERS

We, the members of the Ukrainian Community of Metropolitan Detroit, gathered at the Protest Meeting in defense of Ukrainian women political prisoners on this date of November 2nd, 1975 at the Community Arts Auditorium, Wayne State University, fully support the Petition of the Ukrainian Congress Committee of America and World Federation of Women's Organizations to President Ford in their defense.

These women political prisoners are presently incarcerated in jails, concentration camps and psychiatric institutions in Siberia and throughout USSR.

We therefore declare as follows:

1. Whereas Ukraine, against the will of its people, was forcefully incorporated into the USSR as the Ukrainian Soviet Socialist Republic, and

2. Whereas the Soviet Government continues to violate the human rights guaranteed by the constitution of the Ukrainian Soviet Socialist Republic, by the constitution of the USSR and by the International Declaration of Human Rights of which the governments of the USSR and the Ukrainian Soviet Socialist Republic are signatories, and

3. Whereas, among the violations are an alarming number of arrests and persecutions of Ukrainian women, who are not criminals but are respected ladies of all strata who refused to renounce their arrested husbands and loved ones, and who opposed the policy of russification, forced atheism, colonialism, and police control of family and public life, and

4. Whereas, among persecuted victims are hundreds of children and under aged youth whose only crime was being children of political prisoners.

5. Therefore, in the name of humanity and justice, and in the spirit of the International Year of Women, we, the members of the Ukrainian Community of Metropolitan Detroit, gathered at the Protest Meeting in defense of Ukrainian women political prisoners, petition Gerald R. Ford, President of the United States of America, to intervene before the government of the USSR to grant amnesty to Ukrainian and all other women political prisoners in the USSR and particularly to release Iryna Stasiv-Kalynets, Stefania Shabatura, Nina Strakata-Karavanska, Iryna Senyk, Nadia Svitlychna and Oksana Popovych and return them to their families and homeland with restoration of citizen's rights.

WASHINGTON SCENE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. HUNGATE. Mr. Speaker, my interest in the congressional salary will soon become academic, but I think the enclosed article is an accurate portrayal of the situation as it now exists:

WASHINGTON SCENE

(By Frederick D. Goss)

SHOULD WE GET UPSET AT CONGRESS' PAY RAISE?

To judge from what I hear and read in the papers, a lot of people are irate that Congress has voted itself a 5% pay hike plus

some additional tax deductions for their expenses in Washington.

Frankly, this writer thinks the critics are way off. Sure, Congress is an easy target and no one expects its actions to bear the wisdom revealed by the Delphic Oracle, but it's made up of 535 individuals, most of whom are intelligent, hard-working and dedicated to a very large job. After all, it's a \$350 billion annual revenue firm they're running!

Admittedly, it's hard to shed tears for people making quadruple the national average annual income, but on the other hand, Members of Congress haven't had a pay boost in five years. Think if you were in their shoes how that would have affected your standard of living, considering the inflation we've endured over that time. The much-applauded trend toward younger representatives also means we have a lot more Members with children's college expenses, etc., still facing them. The increased tax write-off also seems fair. Congressmen usually have to maintain two homes. The younger ones I mentioned can't get along with a shared apartment in D.C.; they want their wives and children here. And add to that what is derogatorily said about the Congressman who doesn't maintain his ties back home—so, realistically, a Congressman must run two houses, sets of mortgage payments, taxes, insurance, etc. . .

No one denies that an annual salary of \$44,600 (new raise is included) is more than a living wage, but it certainly isn't very dramatic compared to compensation in the private sector, and I don't mean just Joe Namath, Robert Redford, and Cher. A recent Business Week article on younger achievers in management indicated that a "top performer" in the corporate world is currently averaging \$92,500 by age 40. "If you want to be a stud horse," one young executive is quoted, "you'd better break \$40 (thousand) before you're 30!" Congressmen have good medical insurance and an excellent pension program. So do most progressive firms in the private sector. Perhaps, the Congressional pension plan is a little more generous in vesting, but shouldn't there be some trade-off for being in a job with zero security; where you face the possibility of mandatory early retirement every two years?

Similarly, I'm unimpressed by diatribes about stationery funds, office accounts, and furniture allowances. I don't know anyone in business who pays for his writing paper or phone calls out of his own pocket. A Congressman's office account is not a "slush fund;" there are a lot of expenses that "come with the territory" and Members don't have expense accounts. For example: a Congressman eats a quick lunch in the House dining room with three constituents. Meals are medium-priced and the food is certainly not gourmet. HE gets the bill. Or, his wife sends flowers when someone notable back home dies—another out-of-pocket expense for the Congressman. Many members conduct fundraisers for these accounts so they can send additional mailings or have a local TV show; it's all part of the job of keeping informed on what's happening in their districts.

Congress is only just now getting its feet wet in providing Members with modern office tools. A private industry exec takes for granted computerization, word-processing, and automated correspondence systems. On the Hill, it's a sign of seniority when a Congressman gets a decent Xerox machine.

UNPAID OVERTIME ABOUNDS

Whatever the allowance for staffing is, it isn't enough. Congressmen simply can't keep up with the volume of incoming mail, let alone be as familiar as they would like with proposed legislation. (You also know what happens when opinions get around that "our Congressman doesn't bother with mail back home." It's common for him and his staff

to burn the evening and weekend oil. I bet Capitol Hill sees more unpaid overtime than any other spot in the nation!

Congress takes a number of annual recesses, but these recesses rarely are true vacations. The average Congressman has 2.5 district offices, and he usually spends time in all of them during recesses to listen to complaints from constituents. When we interviewed two freshmen Members about their impressions of the new job (*Phone Call*, August 1975), both emphasized that some way should be found to get the ombudsman function off the Congressman's neck. For example, if your Congressman didn't have to spend so much time trying to find out why VA has gummed up your son-in-law's benefit check, he could do a more efficient legislative job.

Back to compensation, to be fair, I'll grant that the gymnasiums and barbershops/beauty salons are unusual, but a whole lot of businessmen have company-paid, country club memberships and limousines. Congressmen drive their own cars, and Capitol Hill doesn't look like the parking lot at Saks Fifth Avenue.

AN OBLIGATION EXISTS TO ATTRACT THE VERY BEST TO LEGISLATURE

So, OK, the money still isn't bad, and a lot of people would probably take the job for half the salary, but considering everything which has been drilled into us about the need to involve the "best people" in government, haven't we got to make it at least an attractive enough life-style that those "best people" can afford to consider it? Old Andy Jackson started the patronage system in American politics according to his philosophy that no job in government was so complex that one citizen shouldn't be able to do it as well as any other. That was very much in the egalitarian American spirit, but it just isn't 1829 any more, and we have to have the most qualified people available in public service.

TRIBUTE TO KENNY UYEDA

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. CHARLES H. WILSON of California. Mr. Speaker, it is fitting and appropriate that the attention of our country, especially at this the year of our 200-year celebration of its birth, be focused now upon one of its finest citizens, Mr. Kenny Uyeda of 1823 West 185th Street, Torrance, Calif., and to pay him homage for his spirit and courage in the face of adversities, and for being one of the outstanding examples of citizenship that has made our country great.

Kenny Uyeda was born in Corrinne, Utah in 1918. He attended Jordon High School in Sandy, Utah and the University of Agriculture in Logan, Utah, and took 2 years of postgraduate work. How he accomplished this education, while being the sole support of his parents, three sisters and one brother from his very young age of 14 is a feat of almost superhuman proportion.

Kenny farmed in Draper, Utah from 1929 to 1936, when he moved to El Monte, Calif., and there resumed his agricultural pursuits. In 1938 to 1941, he was a florist and a produce buyer, and on the outbreak of World War II volunteered for

evacuation to Utah, where he served in the War Manpower Commission in the Office of Defense Transportation.

Following the war Kenny ran a service station in the Los Angeles area, and in 1947 settled in Torrance and founded Kenny's Nursery which he operates to this day. In this connection he became a landscape contractor, licensed by the State of California.

His inherent love of land and his community led him also into active service to his fellow citizens. He has been a member of the Torrance Planning Commission since 1956, and in that time has had an admirable performance in attendance, not having missed a single public hearing since his appointment as a Commissioner. It is a perfect record.

In addition, he has been a member of the Torrance Civic Center Authority since 1968.

He was secretary of the 140-member Los Angeles regional forum on solid waste management, dealing with the problems of this area, disseminating information and helping to protect water resources.

He is past president of the southern California planning congress, an official organization for all those involved with extensive plans for the area, and held its highest elected office.

He is a member of the advisory council of the Torrance YMCA. He is a 20-year charter member of the North Torrance Lions Club.

He is a former president of the Gardena Valley Japanese Cultural Institute and active as a fundraiser to establish a cultural center for this entire area. He is past president of the southwest area planning council, which comprises 14 major cities of the South Bay area of Los Angeles. He is past vice president for the Los Angeles County Association of Planning Officials, made up of 79 cities in the greater county of Los Angeles.

He has instructed and lectured in gardening and landscaping and is an active member of the Gardena Valley Gardener's Association and southern California gardener's federation.

He has been married since 1943 to Alice Sakaye Ito, a devoted wife. Of him she says, "In spite of depression and hard times and constant obstacles, Kenny was never one to be discouraged. To this day he is forever giving others moral support and always thinking of the betterment of the future in a definitely unselfish way." They were blessed with two children, son Douglas Hideo and daughter Decilynn Sueko.

In honor of Kenny Uyeda's devotion to his community and betterment of his fellow man, the North Torrance Lions Club has seen fit to pay him tribute during the Community Recognition Week of January 26 to January 30, 1976.

I am extremely proud to have this fine person as one of those I represent in the 31st District to the House of Representatives, and join in the many others who salute Kenny Uyeda for his many concerns, contributions, and unselfish devotion to his community in particular and to our great country as a whole. He is truly deserving of this particular moment in the history of his country.

PUBLIC WORKS JOBS NEEDED

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. NOWAK. Mr. Speaker, the House in the near future is expected to consider a \$6.2 billion bill to authorize a program of local public works, antirecession grants to State and local governments and other economic recovery measures.

While our economy is improving, the rate of improvement—in too many areas of this country—is depressingly slow. The pending conference report on H.R. 5247, already adopted by the Senate, would provide a restrained stimulus to help improve the economic situation.

This program would not be a budget buster. All funds authorized in this bill are included in the congressional budget resolution adopted for fiscal 1976.

Another key point is that the public works provisions are not for make-work, leaf-raking type jobs. They are intended to support the construction of needed public facilities, projects delayed by the lack of local and State funding. Funding priority would go to projects for which work could begin within 90 days.

I have been an advocate of the provisions of H.R. 5247 since they were first proposed. I only regret they have not been implemented already. Therefore, I urge my colleagues in the House to overwhelmingly vote in favor of this conference report. There are reports the President will veto this bill if it is sent to his desk. I certainly hope that the dimensions of the vote in this Chamber will dissuade him from that course.

A key argument by conservative economists against the antirecessionary package contained in H.R. 5247 is that it would be inflationary and might further increase the size of Federal deficits. That is a questionable argument. Taking people off the unemployment rolls and the welfare rolls would only save the Government money.

One leading conservative economist, Federal Reserve Board Chairman Arthur Burns, surprised a group of newspaper reporters at a breakfast meeting last month when he suggested that a revival of some form of the New Deal-like WPA programs might be the answer to our Nation's high unemployment problem.

Following is an article from the December 27, 1975, editions of the Buffalo Evening News which details Chairman Burns' remarks. I believe this article will prove most interesting to the Members of the House as we prepare to vote on this crucial conference report.

Mr. Speaker, the article, written by Lucian C. Warren, Washington bureau chief for the Buffalo Evening News, follows:

BURNS: BRING BACK WPA ON NEW TERMS
(By Lucian Warren)

WASHINGTON.—Chairman Arthur Burns of the Federal Reserve Board is regarded as an arch-conservative economist, who takes a back seat to no one in demanding fiscal austerity in government to control inflation. Burns therefore surprised no one this week when he told a breakfast session of reporters that he is "troubled" about the "movement

of prices" and that America in particular and other capitalist nations in general will never achieve the "good society" unless they learn to manage government finances on a sound basis.

But Burns did pull one big surprise when he suggested that a solution to this nation's unemployment problem might well lie in a revival of the WPA make-work program of the old New Deal days.

WPA stands for Works Progress Administration and it was the pet program of Franklin D. Roosevelt to fight the Great Depression. Many conservatives during that era ridiculed the program as a waste of government money.

They coined phrases such as "boondoggle," "shovel-lean," and "leaf-raking" to describe their contempt for what they regarded as meaningless and worthless activity.

The proposal of Burns is for the government to finance a "government jobs program" of sufficient magnitude to find employment for everybody who wanted a job, but couldn't find one.

The FRB chairman did not blanch when a reporter suggested this was a return to the old WPA.

Yes, he said, it is similar "but I think we could handle it better than the New Dealers did." Besides, he felt it should be remembered that "a lot of useful work was done by the WPA."

Nor was Burns taken aback when someone else suggested such a program might further increase the size of federal government deficits. He disagreed.

It would add very little to deficits because "under my proposal wages would be so unattractive that those who got the jobs would have strong incentives to seek private employment at higher wages as soon as they could possibly do so."

Furthermore, he expects the government would save money by taking people off welfare in such a jobs program and by a reduced period of unemployment compensation benefits for those between jobs.

The FRB chairman would make it mandatory that the unemployment compensation would be limited to no more than 13 weeks instead of the 60 weeks presently allowed.

If persons were offered employment under the Burns program and refused it, they would be immediately removed from unemployment compensation roles, thus saving more government money.

Burns is opposed to the administration program that increased the period of eligibility for unemployment compensation and made food stamps more plentiful for the unemployed. He feels this robbed the unemployed of the incentive to find work and "financed them in idleness."

So, if the FRB chairman has his way, the government will again be in the business of trying to find useful work at low wages for its unemployed citizens.

In the New Deal days, while there was some boondoggling and leaf-raking, the WPA force did build some 650,000 miles of road and constructed 78,000 bridges, and that apparently is the kinds of projects he has in mind.

all have been inundated by a succession of patriotic speeches, Bicentennial minutes, and historical quotes.

By this time next year, each of us will be familiar to some degree with the history of the events surrounding the American Revolution and the drafting of the Declaration of Independence and the Constitution. And most of us will be able to quote from memory the words of Jefferson, Washington, Adams, Franklin, and the other revolutionary patriots.

It might be most beneficial then, if we paused for a moment, today, at the start of the Bicentennial celebration, to reflect upon what exactly drew our forefathers to this country and what has made this Nation of ours so great.

At the risk of sounding "unpatriotic" I must point out the historical yet unromantic truth, that the American Revolution was not fought over the issues of freedom of speech, or assembly, or worship, or of a voice in how this land was to be governed, even though the leaders of the time claimed it was.

Nor, if we go back further in history, was this Nation founded for these same reasons and causes.

No, what dragged this Nation into bloodshed and stirred its populace into action, were not these lofty goals, but the basic issue of the Government's confiscating the people's economic freedom to prosper or to fail by their own initiative.

This freedom to fail or prosper, or as we know it, the free enterprise system, is what lured people to emigrate to this country in the first place. The promise of the right to own and dispose of property, to be individually free to be industrious and productive, to live in a land which abided by the unwritten proposition that government and the economy were separate—these were the promises which brought our forefathers to this land, and when reneged upon, drew them into war against their mother country, England.

For nothing was as precious to these individuals as the opportunity to direct the course of their own livelihoods. And when the government began taking away that right, they rebelled. Because in essence, the majority of the people reasoned: "If the government denies us economic freedom, our means of survival, they own the means to steal the other freedoms as well."

As author Benjamin Rogge wrote in the Freeman:

Give me control over a man's economic actions, and hence . . . except for a few occasional heroes, I'll promise to deliver to you men who think and write as you want them to.

These patriots knew only too well the consequences of government interference in the economic system. They had learned from the experiences of the earliest settlers of the Massachusetts and Virginia colonies what happens when government legislates communal ownership of the means of production.

Wrote Virginia's Captain John Smith—and Governor Bradford up north said essentially the same:

When our people were fed out of the common store and laboured jointly together,

glad was he who could slip from his labour, or slumber over his task he cared not how, nay, the most honest among them would hardly take so much true pains in a week, as now for themselves they will do in a day.

Out of that "social experiment" came the concept of private enterprise and a very healthy respect for personal initiative. Unfortunately, somewhere between then and now, that respect has floundered and perhaps even died.

It would be too easy to stand here today and fix the blame on one source or another for the strong attack on the foundations of the American free enterprise system we are witnessing in Washington. But it seems that whenever our economy appears to falter, whether through inflation or unemployment, the people who should know better, the elected representatives of Government, begin to press forward with ideas and plans which our forefathers would have abhorred.

Do not misunderstand me, I am not saying that Congress sits collectively and decides to look for new ways to attack and destroy the free enterprise system. Actually, the attack on the free enterprise system is more of a by-product of the temper of the times rather than a direct result of any planned action.

In this Congress, one of the chief causes of this phenomenon is the widespread belief that the Federal Government can solve all of our major problems simply by legislating them away. If that means massive new spending programs, well so be it. We can always pay for them by adding to the Federal deficit or increasing taxes in business. That is a very dangerous way to approach our problems, but it is exactly the kind of economic philosophy we are dealing with in this Congress.

The American people do not want more Federal programs—they just want jobs. The American people do not demand or even want their Government to throw money at them. They are not insisting that the Government solve their problems. Rather, the American people are looking to their Government to let them solve their problems and to provide some assurance that they will not, once at work to solve their problems, have the rug pulled out from beneath them by a new edict from on high. They want some assurance that whatever success they achieve will not be penalized and that their Government will allow risks to be run and rewards to be kept.

The temper of the times in Washington needs to be carefully watched, watched because it appears that in the heat of some political passion, that many of the Members' memories of the fundamentals on which this Nation was founded, are beginning to fade.

A good many years ago, around the time when the Declaration of Independence was signed, John Randolph foresaw this danger and put it this way:

The people of this country, if ever they lose their liberties, will do it by sacrificing some great principle of government to temporary passion.

My hope is that this current passion will quickly pass.

WHAT AMERICANS WANT

HON. SHIRLEY N. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mrs. PETTIS. Mr. Speaker, by the time we Americans finish celebrating our Nation's 200th birthday this year, we will

A CITIZEN LOOKS AT THE UNITED STATES FROM AROUND THE WORLD

HON. JAMES P. (JIM) JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. JOHNSON of Colorado. Mr. Speaker, I recently received a letter from one of my constituents, Mr. Robert Aussenhus of Loveland, Colo., who had just completed a 7-week trip around the world to visit Lutheran World Relief projects. His letter records some of his immediate and most prominent impressions.

Because of the thoughtfulness with which he put his views on paper, I wanted to share the letter with my colleagues.

The letter follows:

ROBERT AUSSENHUS,

ATTORNEY AT LAW,

Loveland, Colo., December 8, 1975.

HON. JAMES P. JOHNSON,
U.S. Representative, House of Representatives,
House Office Building, Washington, D.C.

DEAR JIM: I have just returned from a seven week trip around the World. The purpose of taking this trip was to personally visit Lutheran World Relief projects, which are primarily concentrated in underdeveloped countries. Lutheran World Relief is the social arm of the Lutheran Churches around the World.

The areas that I visited where Lutheran World Service had programs were the west bank of the Jordan, Ethiopia, Tanzania, India, Bangladesh, and Hong Kong.

While I certainly did not become an expert on World problems or even those countries' problems, it did give me a number of insights and impressions that I had not even anticipated. There were three points that stood out in my mind that I would like to share with you.

The first has to do with the Israeli-Arab situation. It is obvious to me that the Israelis have no intention of relinquishing much, if any, of the land on the west bank of the Jordan, which they conquered in the 1967 war. I saw six new cities being built on this occupied territory and only Jews will be allowed to live in these cities. (Each city is to house approximately 10,000 people). Also, I saw a new city and industrial complex being built about half way between Jerusalem and the Dead Sea. The acts of the Jews are only too obvious to the Arabs. While the recent U.N. resolution equating Zionism with Racism was overstated, there are certainly elements of truth in the Arab charge that the way that Israel carries out its policies is racist as it compares to other racists, i.e., the fact that only Jews are to be allowed to live in these new cities, the fact that if you are a Jew that automatically gives you entry into Israel, also the general condition of the Arabs in Israel where they are the common laborers and who are people who know that there is really no future for them as Israeli citizens. It is easy to call the P.L.O. terrorists. That is really a play on words. In the eyes of the Arabs they are the freedom fighters who can rightly argue that terrorists took their land at gun point in 1948 and never compensated them and then continued to deny their existence to their right to a place in the world. I believe our government is going to have to put more and more pressure on Israel to make concessions on the relinquishment of land taken in the '67 War as well as recognizing the P.L.O. and paying compensation for the land that was taken in the '48 War. It pains me to see Moynihan make these vitriolic speeches in the U.N. as if it was all black and white.

The second point has to do with the powder keg in Africa. I believe most informed

Americans are aware intellectually of the apartheid situation in South Africa and Rhodesia. However, when you are in Africa it really strikes you of what a growing tornado there is against the oppression of blacks in both South Africa and Rhodesia. I would be the first to acknowledge that, again, the situation is not all "black and white." However, it appears to me that South African and Rhodesian have irreversibly committed themselves to "man" the gates as long as possible. I am confident that during my lifetime there is going to be a tremendous upheaval and a blood bath in those two countries. It is common knowledge that many of the educated blacks in Africa are now being trained in modern warfare and that the countries sympathetic to their liberation views are supplying sophisticated armament. I read a speech of Julius Neyerre President of Tanzania where he made a point that I think we Americans should seriously consider. He said that he hoped that the United States would not fall for the line that Rhodesia and South Africa are going to make that the United States should supply them with military aid to protect those countries from a Communist takeover. He said that it will be true that the liberation forces will have military equipment that is supplied by countries that are sympathetic to the Communist World or are from the Communist World. That does not make them Communist. The situation in South Africa and Rhodesia is so unjust and so few people control such a vast portion of the country's wealth and the black man is not much better off than our slaves were. I believe Mr. Neyerre is right when he points out that these people who want to throw off the yoke of bondage are not Communist just because they get help from where they can get it. The United States in the eyes of many black Africans is a racist country that has great investments in South Africa and Rhodesia and, therefore, is concerned to keep the status quo. If the United States is not willing to do more than just state in oratory that it deplores the apartheid policy, then Black Africa is going to continue to feel that we are a white racist nation.

The third area is the United Nations. In the west bank of the Jordan, Africa, India and Bangladesh I saw visible proof of the great humanitarian work that the social arms of the United Nations was accomplishing. For example, they contribute \$600,000 to one of the hospitals that Lutheran World Service runs on the west bank of the Jordan (for a population of over one million Arabs there are two major hospitals on the West bank of the Jordan). They are supplying food and shelter to the refugees in Ethiopia, assisting in drilling wells, and provide massive aid for the refugee camps in Tanzania. Lutheran World Service supervises and runs several of the large refugee camps in Tanzania and it receives substantial assistance from the United Nations in helping these people to become self-sufficient. Several health workers in Bangladesh told me that through inoculation programs of the United Nations in Bangladesh smallpox was no longer the death scourge it used to be.

I didn't fully comprehend the tremendous impact that the United States has on the World. In every country that I was in (even Ethiopia, which was under martial law, and Bangladesh, which was also under martial law while I was there) the newspapers prominently carried the speeches of President Ford. They gave detailed accounts of congressional investigations on the C.I.A. They gave detailed reports on the economic indicators of U.S. economy. They gave lists of what the United States balance of trade was in October, etc. The Japanese TV coverage even showed pictures of blizzards in the midwest. Whether we Americans like it or not, we are such an economic giant in the World that people all over the World follow

our actions very closely. The newspapers in that part of the World carried a prominent write-up when President Ford signed the recent bill to give more favored trading treatment to the underdeveloped countries. I believe the United States needs to work in this area as well as helping make funds available to the World bank in assisting these countries.

On this trip I also became aware of my subconscious snobbery that I had for the United States. I became aware of the fact that I thought the United States was really doing it all as far as helping the poor countries of the World. My first set-back was when I was in Geneva, Switzerland, at Lutheran World Service headquarters to look over the contributions from the Lutheran Churches of the World. I naturally assumed the American Lutherans were No. 1. I was chagrined to see that the German Lutherans and the Swedish Lutherans both contributed more to the Lutheran World Service than American Lutherans. Also, I was amazed to see the millions of dollars that the Scandinavian countries are pumping into Ethiopia and Tanzania to help those developing countries. Also, I saw a great activity by Canada in that part of the World. I was also disappointed to see several studies that indicated that out of the 17 industrialized nations giving for humanitarian aid as measured as a percent of gross national product that the United States ranks 14th. I, personally, feel that the United States can, and that the people of the United States do want our Government to do more in this area. I know, personally, when I have pointed this out to my fellow friends, they have been very disappointed in what we are doing. They, like myself, had assumed that the United States was giving so much more for humanitarian aid. It is my understanding that Congress may not separate foreign aid between military assistance and humanitarian aid for this coming year. I know that you feel that it should be separated and I encourage you to have it separated so that the American people can really see what we are giving for humanitarian assistance.

Yours very truly,

ROBERT AUSSENHUS.

BOYD HEADS INFORMATION CENTER

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. PATTEN. Mr. Speaker, it is no coincidence that freedom of speech and expression is the first of our Four Freedoms. The other three—freedom of worship, freedom from want, and freedom from fear—lose their value when there is no freedom of speech and expression.

That is why I became one of the co-sponsors of the Freedom of Information Act in 1965 and have supported its extension and expansion since then. It is an essential part of the freedoms we enjoy and often take for granted.

Recently, Hugh N. Boyd, president and publisher of the Home News of New Brunswick, N.J., was elected president of the Freedom of Information Foundation by the Foundation's board of trustees. The basic objectives of the Foundation are to gather and disseminate material that will enlighten our citizens.

Since I have known Hugh Boyd for

many years, I am certain he will be a distinguished president of the Freedom of Information Foundation. His ability, integrity and leadership are outstanding, and above all, he is always fair. I am proud of Hugh Boyd—and so is every person who knows him. There will be notable progress made under his leadership as president of the Foundation, for he believes—as I do—that the American people have the right to know what their Government is doing right or wrong.

I hereby insert an article from the Home News of December 27, 1975, which provides details of Hugh Boyd's appointment:

BOYD HEADS INFORMATION CENTER

COLUMBIA, Mo.—Hugh N. Boyd, president and publisher of The Home News, New Brunswick, N.J., has been elected president of the Freedom of Information Foundation by the foundation's board of trustees.

He will succeed Dwight L. Sargent, who resigned to become assistant managing editor of the Boston Herald-American.

One of Boyd's first responsibilities will be to recommend a successor to Sargent who also was chief executive officer of the Freedom of Information Center.

The center, which is associated with the School of Journalism at the University of Missouri-Columbia, is the only national research facility exclusively devoted to reporting and commenting on actions by government, media and society affecting the flow of information.

The center's objectives are to gather, collate, file and disseminate material that will contribute to a more enlightened citizenry.

Boyd has been active in the foundation's affairs since the center was founded in 1958. He has been a member of the center's advisory council since that time and has been chairman of its advisory council for the past 1½ years. He is a trustee of the center.

Boyd, active in many areas of journalism, has served at various times as a director of the Associated Press, president of the N.J. Press Association, and president of the American Committee of the International Press Institute.

He attended Choate School and Yale University and holds an honorary Doctor of Letters from Rutgers University.

BICENTENNIAL YEAR

HON. ALVIN BALDUS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. BALDUS. Mr. Speaker, after 2 years of extensive promotion and public anticipation, the arrival of our Bicentennial Year almost seems anticlimactic. And yet, I am certain that the arrival of the American Bicentennial has caused every American, along with peoples of all corners of the world, to at one time or another pause for a moment to ponder the significance of this milestone in our history.

Considering the climate of our Nation and the world today, it is to our benefit to have cause to ponder our identity and our role in the world. The people of our country and of all countries are in a troubled and agitated state as the problems facing us expand and old solutions seem increasingly ineffective. But the arrival of the Bicentennial year reminds us that

we have been here before and we have always emerged unscathed.

The vehicle which has carried us through so many troubled waters, which has provided us with the means to adapt to new and increasingly difficult challenges, is that remarkable document, the U.S. Constitution. What other system of government has ever been more flexible, has better allowed for sweeping changes in direction, or has ever been more able to rise to emergencies than has that of the United States of America? Other governments collapse over events which seem mere trifles compared to the challenges from which we have always emerged as a stronger and more committed nation.

The Vietnam war and the Watergate affair have severely tested our confidence in ourselves. The constant threat of expanding communism has coupled with worldwide recession and inflation to cause us anxiety over our own strength and our ability to find new solutions.

In such troubled times there is a tendency to yearn for times which have come before us; to look back to the good, old days and shake our heads disparagingly. In reality, the good, old days concept is a myth, and to recognize it as a myth is to realize the strength and potential of our Government and of the American people.

In the last 100 years alone we have experienced the Civil War, the Indian wars, the Spanish-American War, World War I, the Great Depression, World War II, the cold war with its threat of nuclear destruction, and the Korean and Vietnamese wars. We have met these challenges and we have emerged as the strongest nation in the world, always returning to a good standard of living and always extending a helping hand and the beacon of democracy to the rest of the world.

The concept of the good, old days is in part created by the resiliency of human nature, our ability to forget the bad and remember the good. But it is also fostered by the false impression that although the challenges of the past were severe, at least the solutions were more easily found because we were more united in purpose whereas today we see a constant clashing of ideas, an arguing and bickering which create a smokescreen behind which solutions are hidden.

In reality, it has been rare that we have been totally united in common cause with no questioning of the routes we should take. We have always been united in our quest for solutions, yes, but there has seldom been total agreement on which was the best solution.

To acknowledge this, to understand that we have always had disagreement in seeking solutions, is to become aware that this is what makes our Government the most perfect ever conceived. Our Constitution allows us to disagree, to let every possible contingency have its say before one path emerges. The Constitution is the framework which enables us to meet new challenges and the resourcefulness of the American people is the glue which holds the Constitution together.

And so, let us not be alarmed if we seem to lack a common sense of direction

or if there is volatile disagreement over the choices facing us. It has ever been thus, and thus it will ever remain. It is the single element which proves the strength of our Government and our people.

Today, more people are actively involved in making the choices facing our Nation than at any previous time in the history of our democracy. Each year sees a dramatic increase in the numbers of people directly communicating with their elected representatives. There has been a proliferation of organizations uniting people in common causes and carrying the banners of those causes to Washington. There is a more widespread awareness of the issues facing us and the alternatives available to us. Elected officials have never been held more accountable by the people they represent. Our democracy has never been more vibrant and vital. Never before has the participation of the people been so great.

This increased participation may give our disagreements the impression of being more volatile, but our Constitution was conceived in anticipation of volatile participation. It is our strength and it should be cause for optimism.

Looking forward from 1976, we can see severe challenges facing us in a world of vanishing resources. But our greatest resource is the American people, and that resource will never fail us.

HOUSE SHOULD DEVOTE MORE, NOT LESS, ATTENTION TO CAMPAIGN REFORM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. STEIGER of Wisconsin. Mr. Speaker, as this session opens, many of us harbor feelings of anticipation and suspense, awaiting as we are the Supreme Court's verdict on the Federal Election Campaign Act Amendments of 1974.

In the weeks since the Court heard oral arguments, on November 10, there has been wide speculation as to the outcome of the challenge filed by Senator JAMES BUCKLEY, former Senator Eugene McCarthy, Stewart Mott, myself, and eight organizations. On one occasion I have heard it said:

If the '74 law is found unconstitutional, I'll bet Congress never touches election reform again.

What a sorry comment that. What a vote of no-confidence in the American Legislature.

Yet, a variation of this view, I am disappointed to read, was voiced this past Friday by one of this body's respected leaders.

According to the Washington Post for January 17, 25 freshman Members of Congress met with the House leadership and suggested, among other things, the consideration of campaign financing as a subject for renewed attention this session. Reportedly, the deputy majority

whip, our esteemed colleague from Indiana (Mr. BRADEMAS), all but dismissed the idea, reminding the meeting:

The bill passed just last year is proving difficult to implement.

Most of us agree the law is proving difficult to implement. It embodies inequities and not a few other problems. Realizing that the current freshman Members share no part of the blame for the 1974 Amendments, I am hopeful one of them had the presence to ask the House leaders, "So there are difficulties. What should that tell us?"

It should tell us, I think, now that it is generally acknowledged the campaign law treats some citizens and some candidates less fairly than others, that now is the time to summon our imaginations and energies and do something about it. A leader's solution to problems should not be a sigh of resignation and a deliberate plan to do nothing.

Surely this body does not lack the necessary skills, resources, and persistence to write a campaign law that is fair and firm to all participants in the Federal election process. Surely we can think of ways to save the parts of the law that are worth saving and to banish the parts that deter people from expressing freely their views on public issues.

While I happen to believe, with Ralph K. Winter, that the first amendment is the best campaign reform thus far proposed, and that the first amendment combined with full public disclosure is still the best approach, I certainly feel there are other proposals which Congress should not dismiss without a hearing and without consideration. I resolutely disagree with the deputy majority Whip if he genuinely feels that alternatives to the current law should be postponed indefinitely.

For those Members who are not so easily discouraged from the search for wiser approaches to election reform, I submit for consideration a recent book review about two volumes which have appeared since the passage of the Federal Election Campaign Act Amendments of 1974. The first book on campaign financing is by David W. Adamany and George E. Agree. The second, on the same subject, is produced by the American Bar Association.

This review appeared in the December issue of *Commentary* and is written by Michael J. Malbin of *National Journal*.

As Mr. Malbin says:

It remains to be seen whether the Supreme Court will look at some of the broader issues raised by these books, or whether it will let the pressure of time rush it into accepting Congress's judgment uncritically. If the justices take the time to study the legislative record, and then compare it to such books as *Political Money* and the ABA symposium transcript, they will soon discover that many of the key issues were never addressed by Congress.

ELECTION SPENDING

(By Michael J. Malbin)

The campaign-finance law signed by President Ford a year ago deals on its surface with the way people spend money on politics. Its effects, however, are likely to reverberate through all the elements making up the basic structure of elections. The law already is changing the shape of presidential poli-

tics: the style of campaigning, the structure of campaign organizations, the types of candidates most likely to succeed, and the relative importance of different interest groups—all are affected by the rules telling people how to spend their political money.

The law's impact will be felt beyond presidential campaigning as well. Public financing for candidates, contribution limits, and spending limits will have a direct bearing on the future role of the political parties, and may also affect the relationship between the President and Congress. Differences between federal and state law already are transforming the relationship between state parties and candidates for federal office, and the possibility exists of future impact on the relations between the two levels of government as a whole.

Unfortunately, none of these issues seems to have been discussed during the two-year-long congressional debate over campaign financing; the forum where some of them are now being raised is the U.S. Supreme Court, which is expected to rule on the law's constitutionality before January 1. Although the two books under review do not answer every relevant question, they do have the merit of considering the long-range impact of campaign-finance regulation, and as a result they should do more to stimulate thought on the important issues than all the congressional debates combined.

Political Money, a study sponsored by the Twentieth Century Fund, is primarily an argument for a system of public campaign financing different from the method embodied either in the federal law or in the ten states that already have public campaign-financing schemes. The authors maintain that the key goals of campaign regulation should be: to reduce the political effect of the unequal national distribution of wealth; to provide enough money to insure well-financed opposition to incumbents, most of whom are becoming increasingly safe bets for reelection; to free candidates from the pressure that comes from being excessively beholden to a few large givers; to help prevent corruption and reduce the level of public cynicism about corruption; finally, to do all this in a way that will not upset the existing relationships between parties and candidates, or among the different levels of government.

Adamany and Agree say that the present law, with its contribution limits, goes part way toward satisfying the need to equalize the influence of citizens on politics. They would go further, however, by reducing the \$1000 contribution limit to \$100. They do not advocate limits on campaign spending; the present law, in its constitutionally least defensible sections, does require such limits.

The public-financing plan Adamany and Agree propose is intended to enhance equality in a general election. All citizens would have vouchers that could be given to the candidate of their choice. During the nomination period, instead of vouchers there would be a system of matching grants (the authors think too few people would turn in vouchers during this period to help the candidates). By using an index of present support to determine how much each candidate should get, both methods would avoid discriminating against independents and new minor parties, as the federal law now does. To help counter the possibility that public financing of candidates will weaken the parties, Adamany and Agree would give direct proportional grants to parties as well as to candidates. In addition, to prevent any upset of the delicate system of checks and balances, they say that any federal financing system should include both presidential and congressional candidates.

The basic approach *Political Money* takes toward campaign financing has much to recommend it, particularly in its concern for checks and balances and for preserving the

parties. Its most serious weakness is the \$100 lid on contributions, which only exacerbates the problem the present law created for little-known candidates who need seed money to get started. The authors seem to have let their concern for equality get the better of them, to the detriment of another of their goals—fostering competitiveness. In conversation after the book was published, Agree has said he would favor omitting the contribution limits until a candidate reached a reasonable threshold amount. With this modification, the ideas in *Political Money* merit serious consideration, if Congress ever gets a second crack at the subject.

The American Bar Association's symposium is an even more impressive reminder than *Political Money* of what the level of debate should be on public issues. The ABA's Special Committee on Election Reform called together a distinguished panel of political experts to discuss the implications of the new law, and the transcripts of their discussions contain some of the most stimulating observations about the problems of campaign-finance regulation in print anywhere. It is unfortunately impossible to summarize all of the interesting exchanges, but the ABA would be doing a real service if it prefaced the book with an introduction explaining the law to the general reader and then circulated it through bookstores—it is currently available only by direct order.

It remains to be seen whether the Supreme Court will look at some of the broader issues raised by these books, or whether it will let the pressure of time rush it into accepting Congress's judgment uncritically. If the justices take the time to study the legislative record, and then compare it to such books as *Political Money* and the ABA symposium transcript, they will soon discover that many of the key issues were never addressed by Congress.

Thus, everyone agrees that the spending limit imposed by the 1974 law cuts into a candidate's ability to speak. The law's defenders say that the limit is needed to reduce the candidate's desire to solicit high contributions, but this seems to be, at best, a roundabout reason, and possibly insufficient to justify the indirect limitation on speech involved. Here a constitutional issue, one of free speech, intersects with a political one, as a law intended to prevent discrimination may be seen to have a chilling effect in practice. The Court should not lightly go into such political questions, but this is an area where it has no real choice.

As for limits on contributions to election campaigns, it is clear that what Congress is trying to stop is the undue influence large contributors sometimes have on officeholders. But how widespread is the problem of undue influence? If we are talking about no more than a few thousand large contributors, as has been suggested, would it not be possible to handle the situation in a less elaborate manner—for example, effective public disclosure combined with vigorous law enforcement either by the Attorney General or by an independent prosecutor?

The initial evidence, moreover, seems to indicate that candidates who are not widely known, who are trying to present an unpopular or newly emerging point of view, or who represent a poor constituency, are hurt far more seriously by the contribution limits than are incumbents or mainstream candidates. Campaigns cannot begin in a serious way without "seed money," and even a candidate who intends to rely primarily on small contributions must either be an incumbent, or begin with a few large gifts to cover the cost of initial solicitations, or be sufficiently well-known to raise money with one newspaper advertisement. The rich can get around this problem, since under the law a person can contribute enough to his own campaign to get it past the critical point.

Under the old system, someone like Julian Bond in his abortive 1975 presidential bid would have been allowed to borrow enough for at least one attempt to raise money by mail. If the mailing did not work, the loan would have given him a chance to find out. Under the 1974 law it is illegal to begin with a large loan. Here a constitutional issue arises. Do the First and Fifth Amendments permit a law that so clearly favors rich people, media stars, and incumbents?

Finally, one provision in the law makes it illegal for people acting on their own to spend more than \$1000 on behalf of or against a candidate. These "independent expenditures" are distinguished from "contributions" which are gifts to a candidate's political committee and used as the candidate sees fit. Independent expenditures include such things as buying a billboard without consulting anybody. The justification for this remarkable limitation on independent activity is that without it, the law would contain a massive loophole that would make spending and contribution limits meaningless. That may be true. But is it really constitutional, in the name of closing a loophole, to prohibit a citizen from spending the more-than-\$1000 it would take to sponsor a book or buy a newspaper advertisement that would tell why he opposes the President's re-election?

These issues are all fundamental. In each case, the Court must ask whether a particular item in the law is the least intrusive way to achieve a legitimate goal, when achieving it affects political speech. In each case, the means Congress has already selected toward its end seem questionable. Unfortunately, if past history is any guide, the Court may indeed end up accepting the dubious judgment of Congress. The post-World War II Court is often regarded as one that has stood foursquare against the legislature in defense of civil liberties, but the fact is that almost all the laws declared unconstitutional by the Court since 1937 have been state laws; only the law lowering the voting age in 1970, and before that the 1964 ruling allowing Communists to hold passports, come to mind as cases in which the Court overturned acts of Congress, and neither decision was one likely to provoke a confrontation between the two branches. One may hope that the present case will prove an exception to this post-1937 record; it offers the Court a particularly welcome opportunity to correct the irresponsibility of reformers who may have wanted to do good but who failed to think through the full consequences of their actions.

A BALANCED FEDERAL BUDGET IS A DESIRABLE CONGRESSIONAL GOAL TO BE ACHIEVED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. EVINS of Tennessee. Mr. Speaker, as the 2d session of the 94th Congress begins, it is appropriate to direct attention to one of the most significant bills enacted by the Congress and its use and application to control Federal spending.

The Budget and Impoundment Control Act was designed to, among other things, restore the Federal purse strings to Congress and establish a means of keeping budgets within ceilings set by Congress.

In this connection, the Washington Post on Sunday last published an article relating to operation and application of

the Budget and Impoundment Control Act which is worthy of the attention of all Members of the Congress. This article is well-written and well-researched and details the hard work of the Congress to establish and maintain stricter budgetary standards and controls.

Because of the interest of my colleagues and the American people in this most important matter, I place the recent article from the Washington Post on this subject in the Record herewith:

MINDING MONEY ON THE HILL: IS CHANGE REAL?

In 1946 the Nation had just come through a war and a period of price controls and was caught up in a year of double-digit inflation. Government spending, at \$35.6 billion a year, seemed to have gotten out of hand, and the constitutional power of the purse was said to be drifting dangerously and by default to the President. So Congress adopted a new budget process.

A legislative reorganization act required that the members of the tax and appropriations committees of both houses adopt each February a "maximum amount to be appropriated for expenditures" for the fiscal year ahead—a spending ceiling, we would call it today.

The first year, 1947, the two houses could not agree on a ceiling. The second year, having agreed on one, they failed to abide by it. The third year, without even bothering to amend the reorganization act, they gave up trying.

Now, 30 years later, for many of the same old reasons and in much the same way, Congress has again moved to reform the appropriations process.

Its good intentions this time are contained in a Congressional Budget and Impoundment Control Act that was passed almost unnoticed in the impeachment summer of 1974.

That act was a product of the narrow-gauge politics of divided government. The Democrats in Congress passed it mostly to prove they were not the hopelessly inflationary spenders Richard Nixon said they were. They also were seeking to reclaim the spending power he had tried to take away by expanding presidential impoundments of congressionally appropriated funds.

The uses of the act are also likely to be largely political, at least in this election year, its first full year of application. Its machinery—and the year-long series of budget reports and resolutions it requires—will be the medium through which President Ford and the Democrats carry on their spending debate, which could become the dominant debate of the year.

Whether the act also will produce a lasting change in Congress' spending habits is another question altogether.

One such change it did seem to produce even last year: guards were posted at the old and often-jimmied back door to the Treasury.

The new House and Senate Budget Committees, invoking the new appropriations rules, were able to block or force the scaling down of several so-called backdoor spending bills—bills that typically do not cost much in their year of passage but commit the government to increased spending in the future.

The most celebrated of these boltings of the back door occurred in the Senate Aug. 1, when Budget Committee Chairman Edmund S. Muskie (D-Maine) challenged, as beyond the budget target in Congress' spring budget a military procurement conference report brought to the floor by Armed Services Committee Chairman John C. Stennis (D-Miss.).

The powerful Stennis is rarely challenged on the Senate floor on military matters, even more rarely beaten—yet Muskie beat him that day.

The debate, the vote and the final disposition of the conference report are all instructive.

During debate on the spring budget resolution on May 29, Stennis had prophetically warned of "potential problems... ahead with respect to this new budget process," which he said he generally supported.

"Keeping in mind we are injecting a third committee process into the authorizing and appropriating activities," he told the Senate, "we must make sure that all of the affected committees observe their own jurisdiction and not duplicate the others' activities."

The procurement bill that later passed the Senate—authorizing future spending for such things as missiles, planes, tanks—was within the guidelines set by the spring budget resolution. The House bill went beyond the guidelines.

The conferees, as Stennis told the Senate Aug. 1, had then done the customary thing and split the difference. "The increase in the conference bill over the Senate's version..." the Armed Services chairman said in a memorandum, "is only 2.9 per cent and the House came half-way in its version. If the bill violates the (budget) resolution with only a 2.9 per cent increase, with an even split of money with the House, there is no way the congressional conference system can operate with this or any other bill if this small amount of latitude is not permitted."

Muskie replied at length. "Members may say that Congress is free to exceed the defense spending targets or the income security targets," he said, "Those members must tell us where Congress is going to cut the budget to compensate for these increases."

"Congress can change its mind about budget targets after they are adopted. But I have not recently heard anyone suggest that we should spend more than the \$367 billion targets in our congressional budget as the total federal spending. And I have not recently heard anyone advocate that we should exceed the \$69.6 billion deficit ceiling it contains."

"The point I am trying to make, may I say to the senator," Muskie went on, addressing Stennis, "is if we are going to proceed with our legislative business as usual, as we have done it customarily, and just treat the budget process as some kind of a nuisance over to one side, and not significantly change our habits or our ways of doing things, it is going to be meaningless. You just cannot continue to do business as we have, for the 18 years I have been in this body, for the years the senator has been in this body, and make this process work."

"I do not particularly enjoy standing here and saying to members of the committees on which I do not serve, 'Gentlemen, the budget requires that we do better...' I understand it is traditional when you go into a conference to split the difference."

"When you have got a budget target that is binding on both houses tradition has to give way to a certain extent to the imperatives of the question of the budget."

The ensuing vote was 48 to 42—and pleasantly ironic. Aligning themselves with Stennis and the Pentagon on the losing side in what Muskie called "a vote for a larger deficit" were most of the great professed economists in the Senate—almost all the conservatives, including Appropriations Committee Chairman John L. McClellan (D-Ark.), who said in debate, "I do not believe for the very small issue in contention here today, it warrants a repudiation of the work of this (military procurement conference) committee."

There were four other senators, however, also conservative and generally inclined to be sympathetic toward the Pentagon, who voted with Muskie and in fact provided the margin of victory. They are four of the six Republicans on the Budget Committee—Henry Bellmon (Okla.), the ranking member,

and Bob Dole (Kan.), J. Glen Beall Jr. (Md.), and Pete V. Domenici (N.M.).

The 48 to 42 Aug. 1 vote was Page 1 news all across the country. Somehow the matter was not so newsworthy on Sept. 26 when Stennis brought back—and Muskie and the Senate accepted—a second conference committee report. It eliminated only about a third of the disputed \$750 million in authorizations contained in the first report.

As the second conference report was approved, Stennis complained that it had been "frivolous" to reject the first—and clearly the publicity value of Muskie's August victory was greater than its dollar value. Still, it established a precedent, and precedent is important in the Senate, where procedure and form sometimes count for more than content.

And other back-door bills were also felled last year.

One was a child nutrition conference report, an authorization bill that would have broken the budget resolution by automatically increasing school lunch costs. Muskie stated his opposition to this when he announced he would oppose the military procurement bill. That "even-handedness," as several senators called it, was one of the means by which Bellmon and the other three Budget Committee Republicans were persuaded to go along in the Aug. 1 vote.

In the House, meanwhile, Budget Committee Chairman Brock Adams (D-Wash.) also blocked legislation, but mostly behind the scenes or in the Rules Committee rather than on the floor.

One example was a September bill from the Post Office and Civil Service Committee that, among other provisions, would have permitted federal employees to retire after 30 years of service, regardless of age.

The estimated first-year cost of this early-retirement provision was only \$10 million, but its cost a few years out was 60 times that. Opposed for this and other reasons, the bill was never brought to a vote.

But the House, through no fault of Adams, was also the chamber where the new budget process almost broke down last year, in much the same way as its predecessor fell apart in the 1940s.

The first House budget resolution was passed in May by only four votes, 200 to 196. The House-Senate conference report on the second resolution had an even closer call, passing in December by only two votes, 189 to 187.

The problem was the same both times. Republicans voted rigidly against the projected deficits (\$70.1 billion at the first vote, \$74.1 billion by the second) and were joined by some southern Democrats.

These anti-deficit spenders accused the Budget Committee of being little more than an adding machine, recording the spending plans of other committees, always saying yes and never no.

"I might say very frankly that I envisioned this budget process to work a little differently than just adding up a lot of figures," ranking House Budget Committee Republican Delbert L. Latta (R-Ohio) said during debate on the second resolution. "To date, we have been adding up too many figures and not taking the bull by the horns, so to speak, in cutting down some of the expenditures."

At the opposite pole in the House, however, was an equally determined and dissatisfied group of liberal Democrats who either thought the deficits in both budget resolutions were too small to reverse the recession and reduce unemployment anytime soon or who felt more money should be taken from defense or raised through tax reform and applied to domestic needs.

Organized labor also held—and still holds—this view.

Most interest groups on the outside, if they have taken any cognizance of the new budget process at all, have applauded it as

rationalizing a mindless and hopelessly antiquated system.

The AFL-CIO, however, has looked past these possible procedural virtues and come to regard the new process more simply as biased against spending, domestic spending especially.

To organized labor the budget act is an almost incomprehensible cave-in by a two-to-one Democratic Congress to the rhetoric of the right in the midst of the most devastating recession and the highest unemployment since the Great Depression.

Labor people look on the federal spending issue as a bugaboo, pointing out that federal outlays have risen hardly at all in the last 20 years as a percentage of gross national product or of the economy as a whole.

Is it not true, Rep. John Conyers, Jr. (D-Mich.), representing this point of view, asked Adams during the second House budget debate in November, that "this budget resolution, if implemented, would in effect legitimate an unemployment rate of 7.5 percent through fiscal year 1976?"

It would, Adams had to say. "Do I understand then that the chairman finds this rate acceptable," Conyers asked, really of the whole House, "or does he feel as I do that this is an unconscionable rate of unemployment for this Congress to legislate?"

The more Adams tried to satisfy one wing of the House, the more votes he lost on the other. The two resolutions were finally carried only after amendments were offered sweetening them slightly for the liberals and even then only after, in each case, the House Democratic leadership spent a long day twisting arms. "We must have a congressional budget," Speaker Carl Albert (D-Okla.) told wavering members as debate closed on the first resolution in May.

Muskie had no comparable problem in the more accommodating Senate, in large part because ranking Budget Committee Republican Bellmon refused to play deficit politics.

At one point in the spring President Ford was saying the deficit this spending year could be held to \$60 billion (which itself was about \$8 billion more than he had originally proposed) and that a vote for any more was a vote for inflation. That figure helped firm up Republicans in the House. In the Senate, however, Bellmon denounced it as "phony."

Bellmon was equally caustic in the fall, when the President proposed what he described as a \$28 billion tax cut to take effect Jan. 1 and to be followed by a \$28 billion spending cut and a \$395 billion spending which would not take effect until fiscal 1977, beginning on Oct. 1.

"If I had an evil political mind—and I have—I might think there was some political motive in this timing," Bellmon said to Office of Management and Budget Director James T. Lynn at a hearing. "I would say it would be very convenient to have a tax cut early in the political year and an expenditure cut very late in the year."

Other Budget Committee Republicans followed Bellmon's lead, dispensed with the usual fiscal pieties and discussed the budget in public with remarkable frankness and impressive sophistication.

Maryland's conservative Beall stood on the Senate floor in April preparing to vote for a \$67.2 billion deficit and assuring his colleagues, his constituents, himself and any other waverers within earshot that the budget resolution actually implied "a slight full-employment surplus."

The full-employment budget is a way of measuring how much of a given deficit is due to a sag in economic activity and tax receipts, and how much is due to increased spending. It is fairly well accepted as a standard for judgment among economists. It has rarely before been accepted and invoked by Republican senators.

Bob Dole summed it up for the Senate. "As fiscal conservatives," he said on the floor, "we must not allow philosophical abhorrence of a \$65 billion or \$57 billion deficit to lead to blind attacks on meritorious programs designed to soften the blow of recession. To be sure, numbers like \$65 billion and \$57 billion in deficit are deplorable. But so too are numbers like 8 million unemployed."

By comparison the House is brittle and dogmatic, and Chairman Adams is unsure his budget committee can produce any resolution that will pass this spring.

The problems he had last year will be intensified by the approaching election and by the tax cut that Congress extended last month through June 30.

Both parties will want to extend the cut another time; neither will want to risk being blamed for a tax increase four months before the election.

The Republicans, however, will insist first that the Democrats agree to live within the \$395 billion spending ceiling to which President Ford has already committed himself for fiscal 1977, the year for which he will submit his budget later this week.

The Democrats will surely balk at \$395 billion. Bellmon may even call it phony. It is \$20 billion above this year's presently estimated spending total. That is not enough to cover even the already legislated automatic increases next fiscal year in Social Security (about \$12 billion), Medicare and Medicaid (about \$5 billion) and interest on the debt (about \$6.5 billion), to say nothing of likely increases in federal civilian and military pay and pensions (about \$10 billion) and in the rest of the government's programs.

With Republicans insisting, Democrats balking, the President no doubt threatening a veto in an instant replay of last December's posturing and near paralysis, and the national nominating conventions only weeks away, anything can happen to a mere budget resolution.

And that is not Adams' only problem. Theoretically at least, no fiscal 1976 appropriations bill can be passed that will take total spending past the \$374.9 billion level stipulated in the second budget resolution Congress adopted last month. Any such bill is subject to a point of order.

Adams was explaining that on the House floor a day or two after the second resolution was adopted when Jamie L. Whitten (D-Miss.), the No. 2 Democrat on the House Appropriations Committee, asked for his attention.

That could mean the year's last appropriations bill to come to the floor, a bill perhaps containing funds for "an entire department or program," would have to be "left out," Whitten said, and surely no one intended that.

But the budget resolution had contained a "fixed ceiling," Adams reminded him.

Yes, Whitten said, but that ceiling was fixed only "until the Congress changes its mind."

THE NEW MATH

Lest anyone doubt that the new budget process has caused Congress finally to start dealing with the nation's fiscal affairs in a modern manner, the following is offered from the Congressional Record of last April 29.

Senator Muskie was about to yield to Senator Bellmon in debate on the first budget resolution, but first, he said, "I wish to make a unanimous-consent request, the necessity for which I find incredible. I ask unanimous consent to use hand calculators on the Senate floor."

"The PRESIDING OFFICER. Without objection, it is so ordered."

"Mr. MUSKIE. I understand that the rules are so ancient and esoteric that the ability to use these calculators except by unanimous

consent seems to be in doubt. I asked whether or not I could use my fingers without unanimous consent—I assume that that is the original hand calculator—and there seems to be doubt on that score, too. I yield to the senator from Oklahoma."

THE NEW BUDGET TIMETABLE

Presidents present Congress each winter with what are called unified budgets, summing up all expected federal receipts and expenditures and projecting the resulting deficit or surplus for the fiscal or spending year ahead.

Congress, on the other hand, has been adopting its appropriations bills for the various sectors of the government independently of one another, not adding them up. Now it will have to add them up: the essential discipline in the new budget process is that Congress must vote explicitly for any deficit or surplus it creates.

The starting date of the federal fiscal year has been changed from July 1 to Oct. 1 beginning this year, to give Congress more time to pass all authorizing and appropriations bills before each fiscal year begins.

The President will continue to submit his budget or spending plan for the year ahead in January. (President Ford's budget for fiscal 1977 will be submitted later this week.)

The budget committees, after consulting with the various specialized committees in each house, must then report out so-called first budget resolutions by April 15 of each year. These will set out total tax and spending targets, with the resulting surpluses or deficits. The recommended spending figure will also be broken down in the resolution into so-called functional sub-totals, one for health, for example, one for defense, one for interest on the debt and so on.

By May 15 a first budget resolution must be passed, which means that each house must have acted on its own and the two houses then must have agreed. The resolution is Congress' own piece of paper; it does not go to the President to be signed into law.

May 15 is also the deadline for the legislative committees in each house to report out any new spending-authorization bills for the fiscal year ahead.

Congress then has all summer to pass the actual spending or appropriations bills. These must be completed, according to the timetable in the new law, by seven days after Labor Day each year.

In the remaining days of September come the final steps in the process. Congress adds up all the actual spending it has voted, compares that with the targets it set back in May and has to reconcile the two.

If the totals do not match, Congress must either vote to cut back specific spending bills or vote explicitly to raise the general spending total and projected deficit (or, of course, reduce the projected surplus in the unlikely event there is one).

All reconciliation bills must be passed by Sept. 25; theoretically, everything will then be done five days before the new fiscal year.

POSTAL SERVICE USES UNFORTUNATE EXAMPLE

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. SIMON. Mr. Speaker, as my colleagues on the Post Office and Civil Service Committee know, I have not been very much impressed by the leadership which the Postmaster General is giving the Postal Service. I think he is a fine

gentleman personally, who is unfortunately unequipped by personality and background to handle the kind of responsibility that has been given to him.

In his moves to close small post offices—part of a general move to reduce services, even though that will be denied by them—he picked on one small community in southern Illinois as an example of a post office that can be closed. He said:

An example of the kind of Post Office that might be eliminated is the one in Rosebud, Illinois. That office serves six families who call for their mail daily and use other services there. The annual receipts from that office are about \$573.00 and the cost of operation is \$5,587.00.

First of all, to defend their move on closing the post offices, extreme examples are the ones used.

In this case, not only is it an extreme example, but this particular post office actually was closed 13 months ago according to H. R. Brenner, publisher of the *Herald-Enterprise* of Golconda, Ill.

It is an interesting comment on the efficiency of the Postal Service that the example it uses to support a policy is an example that has not been in existence for more than 13 months.

CALIFORNIA OFFSHORE SALE DISAPPOINTING; ATLANTIC SALE NEED NOT BE

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. HUGHES. Mr. Speaker, I have recently written to the Honorable Thomas S. Kleppe, Secretary of the Department of the Interior, reviewing conditions that resulted in the disappointing Federal lease sale concluded last month on 231 tracts covering 1.3 million acres off southern California.

My work on the ad hoc Select Committee on the Outer Continental Shelf convinces me that with some restructuring of our leasing policies we can significantly improve the return to the public of a fair price for any gas and oil discovered in the Atlantic Ocean while also kindling competition for sales which has declined miserably to an average 2.4 bids a tract in the recent California sale. We can also better assess potential onshore impact, because we will know ahead of time what quantities we are talking about.

I submit for the RECORD a copy of my letter to the Secretary as well as articles published in the *Wall Street Journal* of December 11, December 12, and December 22, reporting the presale euphoria and postsale disappointment in California:

WASHINGTON, D.C.,
December 19, 1975.

HON. THOMAS S. KLEPPE,
Secretary, Department of the Interior,
Interior Building, Washington, D.C.

DEAR MR. SECRETARY: The *Wall Street Journal* in stories on succeeding days unintentionally made a pretty good case for reviewing our methodology for leasing offshore acreage in its reporting of what in candor

must be interpreted as a disappointing lease sale off the coast of Southern California.

The day before the sale, the *Journal* reported that speculation was high that for the 235 tracts a total of as much as \$2 billion to \$3 billion might be achieved. It was pointed out that the previous high mark was the \$2.09 billion in the March, 1974 sale of tracts off the coast of Louisiana.

This was especially encouraging, I am sure, to the Office of Management and Budget which is counting on \$6 billion this fiscal year from the sale of Federal lands to help balance a Federal budget in record high deficit.

The following day, when the bids were open, the total high bids amounted to a disappointing \$438.2 million. But there are other factors even more alarming.

The *Journal* points out that in two accelerated lease sales last year, the average bid an acre fell to \$2,416 from \$3,560 in three previous unaccelerated sales. The California sale averaged only \$1,135 an acre. At the same time, there were an average 2.4 bids per tract compared with the 2.5 bids per tract in last year's accelerated sales which had already dropped from 4.3 bids for the unaccelerated sales.

I think there are several conclusions we can make from this most recent sale. The first is that capital is now so tight that the oil companies are not willing to take the same kinds of risks through front-end bonuses based on speculation of what quantities of oil and gas may lie in frontier waters. A second and even more alarming conclusion is that there is a growing absence of real competition for tracts as evidenced by the declining number of bids per tract. As a Member of the House Judiciary Subcommittee on Monopolies and Commercial Law, I am beginning to wonder whether this is mere coincidence or, perhaps, indicates group decision-making on some staff level preceding lease sales.

In summation, Mr. Secretary, it should be obvious that the days of the big bonus bids are numbered. I think it significant in the California sale that on the three choice tracts offered where the royalty was advanced from one-sixth to one-third return to the government, the bidding was most brisk and brought the high return.

This argues, in my opinion, for a change in leasing policy which would set a higher royalty or a sliding scale royalty based on known or high probability hydrocarbon deposits.

Please permit me to take another opportunity to argue a case for stratigraphic on-structure tests in the future frontier lease sales. With two large formations already identified in the Baltimore Canyon sale area, we have an ideal opportunity to test a new concept. I believe that a procedure to issue permits to drill on-structure with future leasing in the area limited to the consortium that agrees to take the risk will achieve several obvious advantages. These would include:

1. Increased competition. More firms might be willing to risk a shared cost of the exploration program since the result in the event of success would be the location of commercial deposits of gas and oil for which they might obtain collateral to develop. Without such an avenue of inference, we will continue to be dependent upon a handful of oil companies that have amassed sufficient sums to bid blind on unknown quantities.

2. Upon a known deposit, the Federal government would be in a much better position to schedule a lease sale under a formula which would more nearly guarantee a return to the public that is fair. It would also minimize the chance of government auctions off such areas as the Destin Dome off Florida which turns out to yield no commercial quantities of gas or oil. Such sales have also undoubtedly led to subsequent hedging by

oil companies which was expressed in the California sale.

3. With known quantities prior to lease sale, the Federal government, states and localities will be in a much better position to more accurately assess potential onshore impact resulting from offshore oil drilling.

4. Finally, I believe that a change in procedures will have the added dividend of minimizing the possibility of your Department being forced into court by states and groups which raise points that I believe can be avoided by taking steps such as I suggest.

In closing, Mr. Secretary, let me assure you that I want to work with you and your Department to minimize potential conflict in the upcoming lease sale off New Jersey and sincerely believe that this can be accomplished by expanding an excellent start made in recent months to revise some aspects of our leasing policies.

With kind personal regards.

Sincerely,

WILLIAM J. HUGHES,
Member of Congress.

[From the Wall Street Journal, Dec. 11, 1975]

LEASES OFF CALIFORNIA GO ON SALE TODAY
AFTER LONG DISPUTE; BIDS MAY HIT
RECORD

(By Stephen J. Sansweet)

LOS ANGELES.—After years of preliminary work and months of intensive effort, bids will be opened this morning in the most controversial and potentially the highest-priced sale of offshore oil and gas leases in U.S. history.

Up for grabs are about 1.3 million acres of federal leases off the coast of Southern California. Despite generally depressed profits for petroleum companies this year, the bidding is expected to be spirited. According to one internal and unpublicized government estimate, the high, or winning, bids for the 235 tracts could total as much as \$2 billion to \$3 billion, an admittedly wide range.

The previous mark for total high bids was \$2.09 billion in March 1974 for tracts off the coast of Louisiana. Today's sale is being conducted by the Pacific Outer Continental Shelf Office of the Bureau of Land Management, and William E. Grant, the manager of the office, says the area under bid has great potential.

"We're never sure until the last minute, but there has been a lot of interest shown by a substantial number of oil companies," Mr. Grant said. The lease sale will be the first for offshore California since the sale of leases in the Santa Barbara Channel in 1968. A year later, the major oil spill there gave impetus to the environmental movement and a spate of lawsuits seeking to halt all offshore drilling. Just last Friday a federal judge in Washington refused to block today's sale. The bidding originally was scheduled for October, but the Department of the Interior delayed it two months to weigh public reaction.

NEW STAGE OF DEVELOPMENT

Oil industry observers think today's sale could be significant for another reason. Except for the earlier Santa Barbara sale, all federal offshore leases so far have been in the Gulf of Mexico. The Southern California sales marks the opening of a new stage of development, with the government planning to sell leases on 20 million to 30 million acres by 1978 on the Atlantic Seaboard, off Alaska and other places. If today's bids don't match earlier records, it will be a clear indication that—for a variety of reasons—oil companies have decided to curtail expenditures for relatively high-risk exploration.

The U.S. Geological Survey has indicated that there may be three billion to five billion barrels of recoverable oil in the area covered by today's lease sale, but the Western Oil & Gas Association, an industry group, has used a working figure of 14 billion barrels. That wide variance in estimates is one

reason for the uncertainty about the total of winning bids. Another is the intense secrecy that shrouds the bidding process until the first sealed envelope is ripped open at 10 o'clock this morning, PST.

"This is such a highly competitive thing that our guys who are involved with this hardly even burp," says an official of one large oil company. Security measures are extreme. For example, because companies have to submit a 20% cash down payment with all their bids, Exxon Corp. draws its money from banks all over the U.S. so that there won't be an indication to anyone outside the company of how much Exxon is going to bid. "And since the interest is thousands of dollars an hour, we don't draw those funds until the last minute," an Exxon spokesman says.

Another reason for the great interest in the sale is the belief that the Gulf of Mexico region, the focus of previous high-priced sales, has been exhausted as far as promising prospects are concerned. "The Gulf has become a well-explored area with the choicest tracts already taken," one industry observer says. "This area has good possibilities and is practically virgin."

The risk is still great. "It's a little better than a Ouija board type of thing, but not much," says Frank Parker, a consulting geologist from Pasadena, Calif., who is responsible for many of the preliminary studies in the area. "We know that it's an area that ordinarily should produce oil, and we feel reasonably sure there's a considerable amount there, but without any test drilling there certainly aren't any guarantees."

Mr. Parker has estimated that there are 70 billion barrels of oil in place off Southern California between the Channel Islands and the Mexican border and from the coast to the edge of the Continental Shelf. Much of that isn't recoverable or would be uneconomical to recover, the geologist explains. (None of the leases up for bid today is closer than 3 1/4 miles to the coast.) Because of the uncertainties about specific tracts, Mr. Parker believes that while a "large wad of dough" will be spent today, that price per acre will probably be less than for the choicest offshore Louisiana leases or even the earlier Santa Barbara sale. It will be a week or so before the Bureau of Land Management announces which bids it will definitely accept.

"Several of the major companies are short of crude oil at the present time, and that should push the prices up," an official of one industry trade group says. "But there hasn't been a lease sale in an unexplored area since the tinkering with the depletion allowance. And companies have to consider the potential legal hassles as well as what they will have to pay for such things as environmental control," he adds.

ENVIRONMENTALISTS' RALLYING POINT

Environmentalists and others have made today's sale the rallying point for their efforts to block or reduce considerably offshore drilling. So far, all the efforts have failed. Last week U.S. District Court Judge Aubrey Robinson Jr. denied a request for a preliminary injunction to halt the sale, saying that most of the issues raised in a consolidated lawsuit had already been settled in a previous action won by the Interior Department. The most recent action was on behalf of the State of California and a number of local communities.

The suit claimed that the government was acting without adequate information on the environmental impact of drilling, had failed to assure a fair return on the sale and failed to retain the right to end any leases if drilling damaged the environment. On Tuesday, attorneys for the plaintiffs filed a memorandum with Judge Robinson asking for a trial on the merits of the offshore leasing program. The Center for Law in the Public In-

terest, a Los Angeles-based public interest law firm, said it decided against seeking emergency appellate relief from Judge Robinson's earlier ruling because the Court of Appeals wouldn't have time before the sale to consider the issue in depth before making a decision.

"There's too much at stake to quit now," says Bruce Terris, a Washington, D.C., lawyer also involved with the suit. He said the oil companies are "proceeding at their own risk" in today's sale, because if a trial on the merits finds the lease contracts violated federal law, they could be declared void until such time as they are rewritten.

One environmental group, the California Citizens for Political Action, is attacking the sale by taking part in it. The group says it will submit a legal bid for one of the 235 tracts. As the minimum bid is \$25 per acre and a full tract would require a bid of at least \$144,000, a spokesman said the group will bid on the smallest tract available, one of 360 acres. "We're doing it so we can raise the question of why the rush, what's the hurry in drilling there?" Frank Buda, a group spokesman, says.

[From the Wall Street Journal, Dec. 12, 1975]

OIL-GAS LEASE SALE OFFSHORE OF CALIFORNIA
BRINGS TOTAL HIGH BIDS OF \$438.2 MILLION

(By S. J. Sansweet and H. Lancaster)

LOS ANGELES.—The first federal sale of oil-and-gas exploration leases off the coast of Southern California in seven years produced total high bids of \$438.2 million, substantially under some government predictions.

However, oil company officials, who had maintained tight secrecy surrounding the competitive bidding prior to the opening of the bids, said the figure was in line "give or take 25%" with what they had expected. And officials of the Bureau of Land Management, which ran the controversial lease sale, and the U.S. Geological Survey, which completed its tract-by-tract estimate of potential bids just Wednesday night, professed pleasure at the outcome of the sale.

Sixty-seven oil companies and individuals were registered to bid on 231 tracts covering about 1.3 million acres. But only 166 bids were received on only 70 tracts and many tracts received only one bid apiece. A total of \$902 million in bids was received, well under the record \$6.5 billion at an offshore Louisiana sale in 1970.

Prior to the sale, government forecasts of the total number of high—or apparently winning—bids ranged from \$1.5 billion to more than \$2 billion. The record of high bids for a total sale was \$2.09 billion offshore Louisiana in March 1974.

The Southern California offshore sale is one of the first in an accelerated program of lease sales to considerably step up exploration in waters off the U.S. Critics of the plan have expressed fear that the program will result in lower bids for tracts and yesterday's sale seemed to back up that contention.

In two accelerated lease sales last year, the average cash bid an acre fell to \$2,416 from \$3,560 in three previous unaccelerated sales. In yesterday's sale, the average high bid an acre was \$1,135. This is also lower than the average price an acre of \$1,265 for all federal offshore lease sales. Also, there were an average of 2.4 bids a tract in yesterday's sale. In last year's accelerated sales, the average number of bids a tract fell to 2.5 from 4.3 for the unaccelerated sales, indicating a drop in competition.

The single highest bid for a tract was made by a group comprising Standard Oil Co. of California, with a 30% interest; Union Oil Co. of California, 26%; Getty Oil Co., 22%; and Skelly Oil Co., 71%-owned by Getty, 22%. The group bid \$105.2 million for a tract off San Pedro and Long Beach, Calif. The tract was considered in advance to be

one of the choice ones offered, and was one of three that carried a royalty rate of one-third of production revenue. All other tracts carried a royalty rate of one-sixth.

The two other premium tracts, both in the same area, apparently were won by a group led by Shell Oil Co. The group bid \$25.6 million for Tract 261 and \$45.7 million for Tract 262. The group comprises Shell, 50%; Occidental Petroleum Corp., 17%; American Independent Oil Co., 16.5%; Chanslor-Western Oil & Development Co., a unit of Santa Fe Natural Resources Inc., 12%; and Hamilton Brothers Oil Co., 4.5%.

An official of the Bureau of Land Management said his office hopes to be able to determine within a week or so exactly which tracts will be awarded. The government can reject any of the apparent winning bids, if it considers them too low.

One oil industry observer said that the total of high bids "is clearcut evidence to me that the oil companies are cutting back sharply on their exploration expenditures."

But Willard Gere, western regional conservation manager of the U.S. Geological Survey, said the total of the high bids is "fairly close to the final figure we came up with last night," based on the small number of tracts actually bid on. He said there is a great deal of uncertainty about the offshore, Southern California area. "This may turn out to be a natural-gas area or a mix of gas and oil, and that would be uneconomic to develop. But the industry thinks it's certainly worth the effort to find out."

Apparently, the biggest spenders at the lease sale were the various groups headed by Shell, which had the high bids on nine tracts that went for a total of about \$122.8 million. Standard Oil of California, in various groups and alone, spent about \$111.2 million for 12 tracts, but the majority of that was the \$105.2 million committed for Tract 254. Other high rollers included a partnership consisting of Texaco Inc., 66.7%, and Champlin Petroleum Co., 33.3%, which was the apparent high bidder on five tracts for about \$93.5 million. Shell is a member of the Royal Dutch-Shell Group. Champlin is a subsidiary of Celanese Corp.

R. H. Nanz, vice president of exploration and production, western region, for Shell said that company's share of the high bids was about \$62 million. "No one should have thought all the tracts would be bid on," he said. "There ought to be a few hundred million barrels of oil at least out there, but we won't know until we drill."

Mr. Nanz said that once the bids are accepted, it would probably be about four months before all permits are received. He said he doubts any drilling would begin until May 1976. "This is a moderate to easy area to work in, not like the North Sea, but a little more difficult than the Gulf of Mexico." Water depth in the tracts bid on ranges from about 200 feet to more than 2,000.

The Shell executive said that he thought it would be a minimum of three to four years "under the best of conditions" before production could start offshore of California, and probably seven to eight years for the areas farthest from the coast or in deeper water. Capital investment for all companies drilling here, providing there is a large enough find, could be in the area of \$20 billion, Mr. Nanz added.

John Loftis, senior vice president of Exxon Co. (U.S.A.), a unit of Exxon, said the sale results "didn't surprise us in any way." He compared the sale to a past sale of leases off South Texas and added, "there was a little more committed and a little more spent here." He said the area has "fairly high potential, but also a lot of risk," and added that availability of drilling rigs presented some problems. Exxon spent \$29 million to be the apparent winner of 12 tracts, out of 29 that it bid on.

John Silcox, vice president and manager of the exploration department for Standard

of California, said his company's total exposure on high bids submitted by groups it led amounted to \$39 million. Asked about the high bid of \$105.2 million for Tract 254 (the next highest bidder was the Shell group with \$35.3 million), Mr. Silcox said: "We felt it would be a successful day if we got that tract. That was our strategy."

William E. Grant, the manager of the Pacific Outer Continental Shelf Office of the Bureau of Land Management, said the office will make its final decision on which tracts to award to high bidders on a tract-by-tract basis. Mr. Gere, of the Geological Survey, indicated the possibility that all of the tracts bid on wouldn't be awarded. "I wouldn't be surprised if there are some problem leases," he said.

Besides the three prime tracts that carried one-third royalty rates, several others brought big bids, including tracts 104 (\$33.4 million), 138 (\$21.5 million) and 253 (\$21.5 million), all apparently won by the Texaco-Champlin partnership. A group headed by Shell was apparent high bidder on Tract 115, with a bid of \$20.6 million. Tract 253 is in the block offshore of Long Beach, and the others are far offshore, between San Clemente Island and San Nicholas Island.

A group protesting the lease sale, the California Citizens for Political Action, submitted the only bid for Tract 21. It was for \$9,000, the minimum bid allowable. While it was an apparent winner, spokesmen for the group said they believed it was too low to be accepted.

In a press conference outside the sale room prior to the opening of the bids, Sherwin Kaplan of the protesting group said the bid was made to point out "what a ripoff" the sale was and to dramatize the need for higher royalty rates. He also said the group had wanted the sale put off, pending possible congressional action on lease sales. "What's the big rush?" he asked. "Is this a Christmas present for the oil companies?"

Santa Rosa Island area:

Tract 21, California Citizens for Political Action, \$9,000.

Tract 26, a group led by Oxoco, \$356,000.

Tract 31, Standard Oil Co. of Calif., \$200,005.

Tract 32, Standard Oil Co. of Calif., \$1,200,042.

Tract 33, Standard Oil Co. of Calif., \$300,038.

Tract 34, group led by Oxoco, \$411,000.

Tract 49, group led by Oxoco, \$411,000.

Tract 51, group led by Shell Oil Co., \$151,000.

Tract 54, Atlantic Richfield Co., \$1,625,500.

Tract 55, group led by Oxoco, \$319,000.

Tract 58, group led by Oxoco, \$337,000.

Tract 59, Atlantic Richfield Co., \$1,570,000.

San Clemente Island-San Nicholas Island area:

Tract 70, Standard Oil Co. of Calif., Union Oil Co. of Calif., \$600,076.

Tract 71, Standard Oil Co. of Calif., Union Oil Co. of Calif., \$2,217,000.

Tract 74, Exxon Corp., \$353,800.

Tract 75, Texaco Inc., Champlin Petroleum Co., \$10,143,360.

Tract 76, Gulf Oil Corp., \$5,276,160.

Tract 77, Atlantic Richfield Co., \$212,000.

Tract 79, group led by Shell Oil Co., \$515,000.

Tract 80, Exxon Corp., \$253,800.

Tract 81, Gulf Oil Corp., \$4,281,120.

Tract 82, Atlantic Richfield Co., \$870,000.

Tract 85, Exxon Corp., \$152,300.

Tract 86, Exxon Corp., \$152,300.

Tract 87, Gulf Oil Corp., \$5,287,680.

Tract 88, Gulf Oil Corp., \$3,288,960.

Tract 94, Exxon Corp., \$1,015,000.

Tract 95, Exxon Corp., \$6,156,000.

Tract 96, Exxon Corp., \$1,015,000.

Tract 102, Exxon Corp., \$1,015,000.

Tract 103, Exxon Corp., \$12,210,000.

Tract 104, Texaco Inc., Champlin Petroleum Co., \$33,356,160.

Tract 105, Exxon Corp., \$5,125,000.

Tract 112, Marathon Oil Co., \$5,011,200.

Tract 111, Exxon Corp., \$507,500.

Tract 114, Group led by Shell Oil Co., \$9,268,000.

Tract 115, Group led by Shell Oil Co., \$20,598,000.

Tract 116, Amoco Production Co., \$1,521,125.

Tract 123, Challenger Oil & Gas Co., \$5,000,256.

Tract 124, Challenger Oil & Gas Co., \$3,020,298.

Tract 125, Challenger Oil & Gas Co., \$5,001,408.

Tract 126, Challenger Oil & Gas Co., \$3,050,165.

Tract 128, Shell Oil Corp., \$257,000.

Tract 137, Atlantic Richfield Co., \$1,630,000.

Tract 138, Texaco Inc., Champlin Petroleum Co., \$21,519,360.

Tract 139, Atlantic Richfield Co., \$4,790,000.

Tract 149, Texaco Inc., Champlin Petroleum Co., \$7,015,680.

Santa Barbara Island area:

Tract 185, group led by Mobil Oil Corp., \$4,837,000.

Tract 196, group led by Mobil Oil Corp., \$202,470.

Tract 203, group led by Mobil Oil Corp., \$1,039,900.

San Pedro-Long Beach area:

Tract 246, group led by Mobil Oil Corp., \$1,019,000.

Tract 247, group led by Shell Oil Co., \$12,354,000.

Tract 252, Standard Oil Co. of Calif., Skelly Oil Co., \$1,003,161.

Tract 253, Texaco Inc., Champlin Petroleum Co., \$21,548,160.

Tract 254, group led by Standard Oil Co. of Calif., \$105,177,888.

Tract 255, Exxon Corp., \$1,015,000.

Tract 256, group led by Shell Oil Co., \$8,238,000.

Tract 260, Standard Oil Co. of Calif., \$1,600,012.

Tract 261, group led by Shell Oil Co., \$25,568,000.

Tract 262, group led by Shell Oil Co., \$45,685,000.

Tract 263, Gulf Oil Corp., \$3,263,040.

Tract 264, Standard Oil Co. of Calif., \$200,016.

Tract 266, group led by Mobil Oil Corp., \$146,315.

Tract 267, group led by Mobil Oil Corp., \$7,111,000.

Tract 268, Standard Oil Co. of Calif., Getty Oil Co., \$800,179.

Tract 273, group led by Mobil Oil Corp., \$1,029,000.

Tract 274, Standard Oil Co. of Calif., \$413,280.

Tract 275, Standard Oil Co. of Calif., \$500,025.

Tract 281, Gulf Oil Corp., \$3,188,160.

Tract 282, Challenger Oil & Gas Co., \$4,000,557.

[From the Wall Street Journal, Dec. 22, 1976]

INTERIOR UNIT ACCEPTS 56 BIDS FOR OIL LEASES OFF CALIFORNIA SHORE

LOS ANGELES.—The Department of the Interior said it accepted 56 high bids totaling \$417.3 million in the first federal sale of oil and gas-exploration leases off the coast of California in seven years.

The department rejected bids totaling about \$21 million or 14 of the 70 tracts for which bids were made. All together, 231 tracts were up for bids, and some government officials had said they expected bids of \$1.5 billion to \$2 billion or more. However, the sale produced total high bids of only \$438.2 million out of total bids of \$902 million.

Some officials, including Gov. Edmund G. Brown Jr. of California called on the government to reject all the bids, saying that they didn't constitute "fair market value."

The Interior Department rejected one bid for lack of proper bidder qualification. That was a \$9,000 bid for Tract 21 by the California Citizens for Political Action, a group that made the token bid as a protest against what it called a "giveaway" to the oil companies.

The other high bids were rejected because Interior believed the prices were too low. The tracts, the high bidder and the price bid were:

Tract 70, Standard Oil Co. of California—Union Oil Co. of California \$600,076.

Tract 71, Standard Oil Co. of California—Union Oil Co. of California \$2,217,000.

Tract 74, Exxon Corp., \$353,800.

Tract 80, Exxon Corp., \$253,800.

Tract 116, Amoco Production Co., a unit of Standard Oil Co. of Indiana, \$1,521,125.

Tract 126, Challenger Oil & Gas Co., \$3,050,165.

Tract 246, group led by Mobil Oil Corp., \$1,019,000.

Tract 252, Standard Oil Co. of California—Skelley Oil Co., \$1,003,161.

Tract 255, Exxon Corp., \$1,015,000.

Tract 260, Standard Oil Co. of California, \$1,600,012.

Tract 267, group led by Mobil Oil Corp., \$7,111,000.

Tract 273, group led by Mobil Oil Corp., \$1,029,000.

Tract 274, Standard Oil Co. of California, \$413,280.

THE JUSTICE DEPARTMENT: SOME THOUGHTS ON ITS PAST, PRESENT AND FUTURE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. HUNGATE. Mr. Speaker, Attorney General Edward H. Levi has written about the Department of Justice in the December 1975 issue of the *Illinois Bar Journal*. The article is entitled, "The Justice Department: Some Thoughts on Its Past, Present and Future," and is adapted from a speech given by Mr. Levi at the American Bar Association meeting in Montreal last August.

The Attorney General is a learned and distinguished scholar, and the article should prove of interest. I am, therefore, inserting it into the *RECORD* so that it will be readily available to my colleagues:

THE JUSTICE DEPARTMENT: SOME THOUGHTS ON ITS PAST, PRESENT, AND FUTURE

(By Attorney General Edward H. Levi)

The role of the FBI, electronic surveillance, civil rights, the control of crime—all these and many other important national problems are coming under the scrutiny of the Attorney General and his staff. A vigorous approach toward increased integrity is the objective.

The Department of Justice is an integral part of government. The oath of the President is to defend the Constitution, and the Constitution requires that he take care that the laws are faithfully executed. Because of the nature of the rule of law, the Department has a pervasive and particular role. If one looks at Article One, Section Eight of the Constitution, a lawyer, at least, will immediately recognize the point. The Department does not negotiate issues of conflict or trade with foreign nations, manage the national debt or coin money. It does not supervise

the national programs for agriculture or for the regulated industries. It is not the administrator for systems of taxation and social welfare, nor for the protection of the environment and the sources of energy. But the Department over time has been concerned in greater or lesser degree in some way—and sometimes deeply—with all these activities. Indeed I am sure that one or more of my colleagues in the Cabinet may be pleased and surprised at this statement of partial renunciation. The Department has to be a special advocate, not only in defending governmental decisions at law, but in the attempt to infuse into them the qualities and values which are of the utmost importance to our constitutional system. Thus there must be a special concern for fair, orderly, efficient procedures, for the balance of constitutional rights, and for questions of federalism and the proper regard for the separation of powers. It is sometimes said that, so far as the Department is concerned, courts alone have this duty. I do not agree.

The work of the Department inevitably frequently involves most directly the safety and well being of the community and the protection of individual rights. This fact elevates the review which the Department must make of its performance and priorities to more than an exercise in efficiency, although that is important. The Department's work is likely to be at that central point where conflicting values meet. One traditional way for the law to meet such problems is to fashion a realm of ambiguity. Particularly where the government is involved, with its inherent coercive power, these cloudy areas invite suspicion and mistrust. Where the values are in conflict, the law is not as clear as it should be, and the matter is of great importance to the safety of our country, the burden upon the Department is heavy.

I do not suggest ambiguities can be completely avoided. I know they cannot be. And the case by case approach of our law which thrives on ambiguity—to say nothing of the lack of clarity in legislation—is part of the genius of government and no doubt is necessary. But a prime and useful function of the law as it operates is to help explain the conflict in values and often to bring to issue the problems which are involved. This is not always possible; discussion may be difficult. The central position and power of the Department are such that it ought to attempt to be articulate about these conflicts in values. The role is one of law revision, resolution, or acceptance of dichotomies which in a democratic society ought to be set forth. There are other areas where change through legislation is much needed, but because emotions are high on both sides, no proposal is easy to advance. Again I think it is the duty of the Department, where the administration of justice is concerned, to encourage the discussion and to make suggestions. I do not regard these views as surprising. They are not always easy to follow.

The Federal Bureau of Investigation is established by statute in the Department of Justice. The basic jurisdiction for the Bureau's investigative work in the detection of crime derives from general legislation which gives the Attorney General the power to appoint officials "to detect and prosecute crime against the United States." Other statutes vest in the Bureau specific responsibilities to investigate particular types of violations. The same general legislation which criminal investigative authority also allows the Attorney General to appoint officials "to conduct such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General." This provision and the authority of the President, exercised through executive orders, presidential statements or directives, have been the founda-

tion of certain investigative activities of the Bureau that do not necessarily relate, and frequently do not relate, to criminal prosecutions.

Shortly after I took office, I appointed a committee in the Department of Justice to study the practices of the Federal Bureau of Investigation and to develop a comprehensive set of guidelines to govern its future conduct. The committee of six attorneys, including one from the Bureau has been meeting several times a week over the last five months. The mandate of the Committee is broad; to reconsider the whole range of Bureau investigative practices from the use of organized crime informants to the use of warrantless electronic surveillance to collect foreign intelligence information. The Committee has written detailed proposed guidelines in four areas: investigations requested by the White House, investigations for Congressional and judicial staff appointments, unsolicited mail, and investigations to obtain domestic intelligence. The Committee is proceeding to draft guidelines for additional areas such as organized crime intelligence, criminal investigations, the federal security employee program, counterintelligence and foreign intelligence investigations, and background investigations for federal judicial appointments.

Each of the guidelines has special problems and requires particular solutions. For example, some of the alleged instances of misuse of the FBI over previous periods have involved directions from the White House, often from low ranking officials, given orally, and couched in terms of law enforcement or national security. They involved such matters as surveillance at a political convention, investigation of a newsmen unsympathetic to the Administration cause, or the collection of information on political opponents. The proposed guidelines require that the request be made or confirmed in writing, specifies those who may make requests, requires the official initiating the investigation be identified, the purpose of the investigation stated among certain routine areas, and where a field investigation is initiated, an attestation that the subject has given consent.

During Congressional hearings, a great deal of concern was voiced about the FBI's retention in its files of unsolicited derogatory information about individuals—including Congressmen and Senators. The Bureau does receive a great deal of information which is unsolicited by the Bureau and does not bear upon matters within its jurisdiction. It is the repository of many complaints—some of which concern personal habits or incidents. As I commented at the hearings, there are policy considerations which argue in favor of retention of unsolicited allegations. A vitriolic accusation concerning a Congressman can become of substantial importance if there is a subsequent attempt at anonymous extortion or other threats. There are other examples not difficult to imagine in which the allegation, as part of a developing later picture, becomes significant. Moreover the destruction of material which later might be thought to have been an alert to all kinds of serious problems can be seriously criticized. Nevertheless, I expressed the hope that a procedure could be devised to screen materials to be retained. The proposed guidelines would require that unsolicited information, not alleging serious criminal behavior that ought to be investigated by the FBI or reported to other law enforcement agencies, be destroyed—within ninety days of receipt. Other guidelines confront directly the question of the length of time other kinds of investigative materials should be retained.

Perhaps the most important guidelines the Department of Justice Committee has yet drafted involves domestic intelligence inquiries. For decades the FBI has been con-

ducting investigations of groups suspected by it or other government agencies of being involved in subversive activities. Unlike conventional criminal investigations, these investigations have no built-in necessary, automatic conclusion. They continue as long as there is a perceived threat. They are not reviewed outside the FBI. They come close to First Amendment rights.

The proposed guidelines would limit domestic intelligence activities to the pursuit of information about activities that may involve the use of force or violence in violation of federal law in specified ways. Full scale investigations would be reported immediately to the Attorney General under the proposed guidelines. He would be required to review them periodically and to close an investigation any time he determined that the justification for such an investigation does not meet certain enumerated standards. The proposed guidelines would limit the techniques the Bureau could use in domestic intelligence investigations. Informants, for example, could not be used to originate the idea of committing a crime or to induce others to carry out such ideas. Electronic surveillance could not be used in limited investigations and, when employed in full investigations, would have to be consistent with Title III of the Omnibus Crime Control and Safe Streets Act of 1968 and subject to specified minimization procedures.

The proposed guidelines deal with the difficult subject of the Bureau's involvement in preventive action. The Bureau and the Department have made public the fact that before 1972, and for a number of prior years, the Bureau engaged in special programs directed at domestic groups; for example, it improperly disseminated information from its files to discredit individuals, or arranged for the sending of anonymous letters, or the publication of material intended to create opposition. I have described such activities as foolish and sometimes outrageous. They were done in the name of diminishing violence. The proposed guidelines accept the proposition that in limited circumstances carefully controlled FBI activity which directly intercedes to prevent violence is appropriate. Traditionally officers of the law are empowered to prevent violence when they see it occurring. Under the proposed guidelines the Attorney General would have to determine that there is probable cause to believe that violence is imminent and cannot be prevented by arrest before he could authorize preventive action. The preventive action would have to be itself non-violent and could involve only such techniques as using informants to lead people away from violent plans; open and obvious physical surveillance to deter people from committing acts of violence; restricting access to the instrumentalities or planned location of the violence. The Attorney General would be required to report periodically to Congress on any preventive action plans he authorized.

The proposed guidelines are far more detailed than the summary I have given. But the summary suggests the nature of the exercise. Despite the argument that to an investigative agency all information it comes across may be valuable—may even turn out to be crucial—the guidelines balance the argument against the interests of individuals in privacy. Despite arguments that domestic intelligence operations are essential to national security and must proceed unencumbered by detailed procedures of authentication, the guidelines recognize the effect that unfettered investigations of that kind might have on legitimate domestic political activity and propose tight controls. The guidelines obviously are not in final form. Some might be most appropriate as statutes or executive orders. Others could be put into effect by regulation. Before any go into effect there will be more discussion, both within the Department and outside of it. They have not

been adopted, although they frequently reflect current practice. Whatever the outcome, they do represent a necessary effort which undoubtedly, but for other concerns, would have been undertaken years ago.

The Department of Justice has had for many years, and now has, special responsibilities for warrantless electronic surveillance. Title III of the Omnibus Crime Control and Safe Streets Act of 1968 sets up a detailed procedure for the interception of wire or oral communications. It requires the issuance of a judicial warrant, prescribes the information to be set forth in the petition to the judge so that, among other things, he may find probable cause that a crime has been or is about to be committed. It requires notification to the parties subject to the surveillance within a period after it has taken place. So far as the federal government is concerned, the statute provides that the application to the federal judge must be authorized by the Attorney General or an Assistant Attorney General especially designated by him. This is hardly the procedure one would design for the continuing detection of the activities of foreign powers or their agents. The Act, however, contains a saving clause to the effect that it does not limit the constitutional power of the President to take such measures as he deems necessary to protect the nation against actual or potential attack or other hostile acts of a foreign power, to obtain foreign intelligence information deemed essential to the security of the United States, or to protect national security information against foreign intelligence activities. Apparently on the assumption that the President would use such a power, the act then goes on to specify the conditions under which information obtained through presidentially authorized interceptions may be received into evidence. In speaking of this saving clause, Mr. Justice Powell in the *Keith* case wrote: "Congress simply left presidential powers where it found them."

At least since 1940, and possibly before, Attorneys General under presidential directives, have authorized warrantless electronic surveillance. As is well known, President Franklin Roosevelt issued such a directive to Robert Jackson in May 1940. The directive spoke of persons suspected of subversive activities against the United States. President Truman concurred in a modified authorization to Attorney General Tom C. Clark in 1946 put in terms of cases vitally affecting the domestic security or where human life is in jeopardy. President Johnson issued such a memorandum in June 1965 to Attorney General Katzenbach. The memorandum expressed President Johnson's strong opposition to the interception of telephone conversations as a general investigative technique but recognized that mechanical and electrical devices might have to be used for this purpose in protecting national security. Under all these directives, the approval of the Attorney General was required for any action taken.

There is a history concerning the necessary approval of the Attorney General. Director Hoover over the years took a strict view of the use of wiretapping. He thought such surveillance should be used only in cases of an extraordinary nature. He once wrote that the approval of the Attorney General was a necessary safeguard to prevent "promiscuous wiretapping." He also wrote that under the system which he set up in 1940, he was the only head of a government investigating agency "who does not have the authority to authorize a wiretap." He wrote that he felt "quite strongly" that "no government agency should tap a phone unless it is specifically approved in each instance by the Attorney General." He frequently made the point that the main purpose of such surveillance was for the "procurement of intelligence information" in highly sensitive areas, and he thought it was better to have one official give the authorization or deny it.

I need hardly remind you that since 1928 the law in this area, not unlike others, has changed. In *Olmstead* in 1928 it was concluded that wiretapping did not violate the Fourth and Fifth Amendments. This caused a flurry in the Department because it raised a question concerning the inconsistent attitude within the Department between the Bureau of Prohibition and the Bureau of Investigation. The practices of the Bureau of Prohibition were much more lax. *Olmstead* was followed by the passage of Section 605 of the Federal Communications Act, and by the subsequent 1937 ruling of the Supreme Court in *Nardone* that evidence so obtained was not admissible in criminal prosecutions in a federal court. Attorney General Biddle in 1941, summarizing what he had said at a press conference, wrote to Director Hoover that the Attorney General would continue to construe the Communications Act not to prohibit the interception of the communications by an agent and his reporting of their contents to his superior office. He said that while this could be said of all crimes, as a matter of policy wiretapping would be used sparingly and under express authorization of the Attorney General.

The shape of the present law today is set by title III and its saving clause; by the decision of the United States Supreme Court in the *Keith* case in 1972, and by subsequent decisions in three of the United States Courts of Appeals. In the *Keith* case, the Court held that in the field of internal security, if there was no foreign involvement, a judicial warrant was required by the Fourth Amendment. The Department in its subsequent practice has, of course, conformed to that decision. Justice Powell speaking for the Court emphasized "this case involves only the domestic aspects of national security. We have not addressed and have expressed no opinion as to the issues which may be involved with respect to activities of foreign powers or their agents." This was followed by a footnote giving a reference which buttresses the view that warrantless surveillance may be constitutional where foreign powers are involved. Along with two cases, the American Bar Association Project on Standards for Criminal Justice is cited. Since *Keith*, two federal courts of appeals—the Third Circuit and the Fifth—have upheld warrantless surveillances for purposes of foreign intelligence.

The United States Court of Appeals for the District of Columbia Circuit on June 23rd last held that a warrant was required for surveillance of the Jewish Defense League. That organization was not an agent or collaborator with a foreign power even though it was involved in violent harassment of officials of a foreign government, and this might have had foreign consequences. The holding of the Court was carefully limited. The far-ranging views expressed by Judge Skelly Wright in the plurality opinion, however, apparently would require some kind of a judicial warrant for any kind of non-consensual electronic surveillance. But Judge Wright was careful to repeat, "we hold today only that a warrant must be obtained before a wiretap is installed on a domestic organization that is neither the agent of nor acting in collaboration with a foreign power, even if the surveillance is installed under presidential directive in the name of foreign intelligence gathering for protection of the national security." This holding is not inconsistent with what was decided in the Fifth Circuit in *Brown* in 1973, and in the Third Circuit in *Butenko* in 1974.

While it may not be relevant—although I think it is—I think it can be said that the Supreme Court surely realized, in view of the importance the government has placed on the need for warrantless electronic surveillance, that after the holding in the *Keith* case, the government would proceed with the procedures it had developed to conduct such surveillances not prohibited; that is, in the

foreign intelligence area, or, as Justice Powell said, "with respect to activities of foreign powers or their agents." I think the same observation can be made about the expectations in this regard which Congress must have had after the 1968 Act. It could hardly have been a surprise when, three months after the *Keith* case, Attorney General Richardson indicated the continuation of such surveillances and placed the conditions for them in the foreign intelligence field in terms of the "contours of the President's power as suggested by Congress in the 1968 law."

Justice Powell in the *Keith* case did not apply the 1968 statute. He emphasized, indeed, that the Court did not hold that the same kind of standards and procedures prescribed by the statute would necessarily be applicable in that kind of domestic security case. I believe that was an invitation to the Congress to design something different. If I read Judge Wright correctly in the expression of his wider-ranging views, his belief is that courts on their own may devise new kinds of warrants, although the relationship to Title III would then seem unclear. Meanwhile the Department has continued its efforts to perfect the standards and processes used, under the authorization of the President, when the Attorney General gives or denies his consent to a proposed electronic surveillance. Last June the Department reported the number of such telephone and microphone surveillances for the year 1974. The number of subjects of telephone surveillances was 148; the number of microphone surveillances was 32. On July 9, commenting on the Department's practice, I publicly stated "there are no outstanding instances of warrantless taps or electronic surveillance directed against American citizens and none will be authorized by me except in cases where the target of the surveillance is an agent or collaborator of a foreign power." We have very much in mind the necessity to determine what procedures through legislation, court action or executive processes will best serve the national interest, including, of course, the protection of constitutional rights.

The concern about FBI conduct and warrantless electronic surveillance are examples of the Department of Justice looking inward in its effort to confront important issues of civil liberty. The Civil Rights Division of the Department exemplifies the outward reach of this concern. In the late 1950s and 1960s it faced a situation in which many state and local governments enforced laws that blatantly discriminated. Discriminatory treatment in employment and public accommodations was the rule in large areas of the nation. Changing this situation was a long, difficult and painful endeavor. Even in 1968, sixty-eight percent of all black students in eleven southern states went to all-black schools. The "dual school system" was still in effect. By 1972 that figure had declined to a little more than nine percent.

Today the Civil Rights Division's effort against race discrimination is a more subtle one. Often it is difficult now to show a history of *de jure* segregation, and more importantly, as the quest for equal opportunity becomes more successful, some of the demands of minority groups might, if met, involve unfair deprivations of others. A difficult balance is required. It is made more pressing today because a great number of private civil rights suits is being filed which makes it even more important that basic legal concepts be clarified. The clarification is impeded in many respects by semantic breakdown. Words that could express the conundrums and conflicting values are taken to indicate a broad opposition to civil rights. Euphemisms have been substituted for logic. Thus the metaphysics of the distinctions between quotas, which are taken to be bad, and goals, which are taken to be good. Now whatever these devices which seek a sort of numerical parity among racial and ethnic groups might be

called, I think it could be agreed they are appropriate when a specific showing is made about a specific institution that it has discriminated against minority groups in the past, and this form of relief is necessary. But the reach of affirmative action programs goes much further. Affirmative action would choose a parity figure and then impose it without regard to a specific showing of discrimination.

The Civil Rights Division has, of course, not solved the riddle of so-called "reverse discrimination." Neither has the Supreme Court. It had the opportunity in the *DeFunis* case, but it withheld judgment. Perhaps that was wise. Perhaps it is not a moment ripe for the education of a principle. Temporarily—and I hope briefly—we may be standing at a moment at which the internal conflict in our ideal of equality is seeking an equilibrium which is not yet obvious—nor even, perhaps, attainable—to us. But the problem is not insoluble, even though we might not immediately see how the resolution of competing interests can be accomplished. It is the duty of the legal profession—one we should welcome—to seek accommodations in difficult situations in such a way as to protect fundamental values.

Though its major work is still in the area of minority rights, the Civil Rights Division lately has begun to assert the rights of other disadvantaged groups within society. Beginning more than two years ago with an important test case that involved the issue of a constitutional right to treatment for the institutionalized mentally ill, its work has extended into other sorts of institutions whose purpose require some limitation on individual liberty and whose residents are not in a position to assert their rights unaided. The aim is to ensure that every effort is made to minimize those limitations so that even the powerless and the infirm might enjoy some measure of freedom and obtain decent, civilized treatment. The Division has become involved in cases asserting a right of juvenile offenders to be treated during their incarceration, cases attacking negligent conduct by states in placing children who have become their wards, and cases seeking to require state officials to bring nursing homes for the aged up to minimum health and safety standards.

It is well to recall in all these efforts on behalf of the disadvantaged among us, however, that our most benign efforts sometimes yield hurtful results. When society turned its gentle eye upon the young some decades ago, it produced the juvenile justice system which today is in many places a shambles. Likewise, the corrections reform movement of about a century ago insisted upon the humane ideal of rehabilitation, and that concept has led to indeterminate sentences, dubious efforts at behavior modification, and despair so deep that the whole idea of helping those who are convicted of crime has been called into question. This is not to cast doubt upon the importance of the Civil Rights Division's efforts, of course, because they are aimed at righting some of the wrongs earlier reforms produced. But it is to suggest that as lawyers we must know the limits of the law and the fact that other social institutions are sometimes able to do that which law cannot do.

I come now to the fourth area I wanted to discuss with you—the problem of crime. For some years the federal government acted as if its abilities in bringing crime under control were limitless. It created expectations in the public that could not be met. Public disappointment provoked, not a re-examination of the basic assumptions of the federal government's efficacy, but rather an increasing emphasis on toughness, even vindictiveness against those convicted of crime. This obscured a feature of the crime problem that is important now to reconsider. Every success in reducing crime—especially street crime people fear most—is a victory for indi-

vidual liberty so long as the success does not come at the expense of constitutional rights guaranteed criminal defendants. The sense of vindictiveness that intruded upon the discourse about crime led to the misapprehension that prosecuting criminals somehow infringes upon rights rather than protect them.

Serious crime rose 18 percent during the first three months of 1975 compared with the same period last year. In 1974 serious crime was up 17 percent, according to the FBI's Uniform Crime Statistics. Increases in the rate of violent street crime have paralleled the total increase. These sad figures do not begin to measure the effect on individual freedom increasing crime has had. It has affected not only the immediate victims of violence and theft; it has also embedded fear in the minds of countless Americans. Freedom of movement, freedom of association, even the freedom to rest secure in one's own house have been impaired.

Law enforcement is a central part of the protection of human rights. The sentiments that lead officials to believe it is better to minimize law enforcement in poor and minority group neighborhoods of our cities are at best misguided. A study by the Law Enforcement Assistance Administration of crime in five large cities showed that blacks were nearly twice as likely as whites to be the victims of robbery or burglary. In four of those cities blacks were also more likely than whites to be the victim of violent aggravated assault. Lack of adequate law enforcement, more so even than lack of other government services, deprives the poor of their right to live a decent life.

The President has recently delivered a message on crime which, while it admitted the limitations of the federal government's ability to solve the problem of crime, offered some reforms in the federal criminal justice system which might serve as models for states to follow. It set forth a program of gun control that offers the possibility of stemming some of the violence that besets our cities. It emphasized the plight of the victims of crimes and thus began a process by which the problem of crime can be rescued from the rhetoric that has trapped it for years. The Department of Justice, in addition to working to implement the President's program, is attempting to develop a strong research and policy study capability that can help us direct efforts against crime more effectively. This is being done through a revitalized National Institute of Justice.

I have chosen these four areas for discussion because I believe they give some flavor of how the Department of Justice is approaching problems important to it and to the thrust of law in our society. I have chosen them as examples not only because they are important in themselves but also because they indicate ongoing work by the Department in areas involving the conflict of important social values. Our hope is that we can meet problems with candor and some depth of understanding, informed by the history of our discipline, conscious of the ideals to be maintained, vigilant for the welfare of our society and the protection of human rights; in short, in a way which fits the best traditions of our profession.

THE CONTINUING HUD MENACE

HON. WILLIAM M. BRODHEAD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. BRODHEAD. Mr. Speaker, as you know, I have made a number of statements concerning the bungling and mis-

management of the Department of Housing and Urban Development, especially in Detroit.

Now, I would like to present a statement made on Detroit's station WJR by Dr. Mel Ravitz, director of the Detroit-Wayne County Community Mental Health Services Board and former president of the Detroit City Council.

Dr. Ravitz' statement typifies the deep concern with which the HUD mess is viewed by Detroit community leaders:

THE CONTINUING HUD MENACE

Not too many years ago some of us were advocating creation of a new federal cabinet post that would address the problems of cities. Our hope then was that such a cabinet level department would focus public attention on these urban problems and help resolve them.

Little did we realize then that the Department of Housing and Urban Development (HUD) would one day be viewed not as the friend of America's cities but as their mortal enemy.

We in Detroit especially have reason to be incensed by HUD's actions and inactions. Not only has this federal agency and its succession of national and local administrators done more than any other agency to devastate our city both physically and psychologically, but the damage is continuing. Each new HUD proposal is more harmful than the last.

Now we have a proposal to help prevent additional foreclosures that sets as its trigger point a percentage of foreclosures we in Detroit are already well past, but which the nation as a whole has not yet reached. If HUD holds to its arbitrary national percentage before foreclosure help is possible, it will be months before help can be provided to those Detroit homeowners who are now on the brink of default. When help can become available, according to HUD's formula, it will already be too late for hundreds of northwest Detroit residents.

Nor is that the only example of HUD's ineptness. HUD recently revived the old Section 235 housing subsidy program, which led to much of the corruption and exploitation in the first place a few years ago, but it has not removed the basic flaws that assured failure before. Under this revived housing acquisition program there is still no community-based counseling service to help safeguard prospective home purchasers, nor is the down payment low enough for many of the poor to qualify.

As we enter 1976 we do so with the HUD mess still with us. Although councilmen, mayors and U.S. Representatives have all tried to make HUD accountable and to stop the decay of Detroit's housing supply, none of us has been successful. Thousands of houses have been abandoned, countless neighborhoods have been ruined, and more are about to be, but HUD rolls merrily along.

Surely someone can find a way soon either to eliminate HUD altogether or make it an agency that helps cities in their time of trouble rather than contributes to their deterioration. It's ironic but true: had HUD never existed, Detroit's neighborhoods would be better off than they are.

If we can do only things in 1976 to help our city and its people, it should be to get HUD to clear away the blighted housing its policies have produced, and to help prevent imminent foreclosures on countless other houses. Unless this is done, we will approach the next new year still bemoaning the HUD mess but with much more of our city destroyed. For Detroiters at least, one test of the next President of the United States will be his ability to control HUD and make it an accountable, constructive public agency.

LEGISLATION TO INCREASE SMALL BUSINESS PARTICIPATION IN ENERGY RESEARCH AND DEVELOPMENT

HON. RONALD M. MOTT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MOTT. Mr. Speaker, Mr. BROWN of California, Mr. CLEVELAND, Mr. DOWNEY, Mr. DRINAN, Mr. HARRINGTON, Mr. JENNETTE, Mrs. SCHROEDER, and Mr. STARK have joined me in introducing the Energy Research and Development Free Enterprise Act of 1976. This proposal will increase the participation of small businesses and individual inventors in our energy research and development programs, which will stimulate both innovation and competition in the energy industries.

Since the Second World War, the Federal Government has spent over one-quarter trillion dollars on research and development efforts. The vast majority of which has gone to giant corporations. Yet, study after study concludes that it is small businesses, and not large businesses, that are responsible for most of the technological innovations in this century. In a number of fields, such as solar energy, they are responsible for nearly all of our present technology.

However, according to the National Science Foundation, from 1957 to 1972 over 90 percent of Federal R. & D. funds went to giant corporations. Within the last 2 years, over 70 percent of all of ERDA's contracts with profitmaking corporations for solar energy research and development have gone to giant corporations.

We can all recognize some of the factors contributing to this. The small businessman has difficulty gaining access to officials; he is unable to hire professional grantsmen; he cannot afford lobbyists; and he is often ignored by decisionmakers.

The Congress has recognized these problems, but has hoped that the executive branch would deal with them effectively. Time after time, our desire to encourage small firm participation in Federal programs has been written into the law, but it has gone largely ignored. We continue to give the most money to those who produce the least results.

Are we not also contributing to the erosion of competition in our economy? No less of an authority than J. Paul Getty notes that—

Competition is the stimulus, the very basis of our free-enterprise system. Without competition, business would stagnate.

By continuing to ignore the potential of small businesses, by continuing to exclude them from Federal research and development programs, and by continuing to give over 90 percent of our funding to giant corporations; are we not inadvertently contributing to the stagnation of our free enterprise system?

In our current energy research and development program, we continue to blindly fund giant corporations. We fail

to recognize that large corporations may actually slow down or suppress the development of new energy sources, due to their investments in our conventional, high-priced and high-profit technologies.

It is the small businessman who does not have an overriding interest in protecting antiquated investments, and whose prime interest is the rapid and successful development of new technologies. There are numerous examples of new firms introducing innovations that established firms failed to develop or actually suppressed.

Should not we also ask, before giving out any Federal funds, whether a corporation could not do the project with their own funds? Does General Electric really need \$800,000 of the taxpayer's money to do a market survey? Does I.T. & T. really need \$17,000 to evaluate solar collector materials?

In conclusion, we are introducing legislation which is directed toward these questions. It will increase and encourage the participation of small businesses and individual inventors in Federal energy R. & D. programs. It will stimulate innovation and competition in our energy industries. It will reverse the trend toward the monopolization of our new energy fields; and, it will improve the distribution of Federal R. & D. funds.

I strongly believe that this legislation is necessary for the health of our free enterprise system and the welfare of our Nation. I urge my colleagues to join with us in supporting this legislation.

PRESCRIPTION PRICE DISCLOSURE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. ROSENTHAL. Mr. Speaker, after many years of struggle by consumers, the battle to achieve retail prescription price disclosure appears headed for victory.

In the half-dozen years since I introduced the first legislation to remove State prohibitions on prescription drug price advertising, the barriers have been lowered in several States by the courts and the legislatures at the urging of consumers and competition-minded business persons.

Last week in Washington the Federal Trade Commission held hearings on its proposed prescription drug price disclosure rules. I was pleased to be able to testify at those hearings and am inserting my testimony in the Record today.

Action is also taking place on three other fronts. The Justice Department has filed antitrust suits against the American Pharmaceutical Association and the Michigan State Pharmaceutical Association to force cancellation of the clause in their code of ethics prohibiting prescription drug price advertising.

And the U.S. Supreme Court is expected to rule shortly on a challenge to the constitutionality of Virginia's law

against advertising of prescription drug prices.

The Food and Drug Administration has established useful rules governing the price advertising and posting to assure consumers of getting adequate information for making comparisons.

Unfortunately, Mr. Speaker, the only place where there has been no action is right here in the Congress. Although my legislation was originally introduced in the 91st Congress and today, as H.R. 996, the Prescription Drug Price Information Act is cosponsored by more than 1 out of every 10 Members of the House, it has continued to gather dust in committee. Ironically, this legislation and the movement behind it have had a greater impact outside the Congress than inside, leaving the Congress in an embarrassing position of once again lagging behind.

Testimony follows:

TESTIMONY OF CONGRESSMAN BENJAMIN ROSENTHAL

I appreciate the opportunity to testify today on the Commission's proposed Prescription Drug Price Disclosure Rules. I commend the Commission and its staff for their work to end needless and costly restrictions on prescription drug advertising.

These proposed regulations are particularly pleasing because they are something that I have been advocating for at least a half dozen years. It has been that long since I introduced the first legislation to end all prohibitions on retail prescription drug advertising. Currently, nearly 50 Members of Congress are sponsoring H.R. 996, the Prescription Drug Price Information Act, which would eliminate the advertising bans and mandate posting of prices for the 100 most commonly prescribed drugs.

I have introduced three other related bills:

1. The Prescription Drug Labeling Act, H.R. 998, would order labeling and advertising of prescription drugs by their established (generic) name and end all laws prohibiting generic substitution by pharmacists;

2. The Prescription Drug Freshness Act, H.R. 1001, would require open dating of all perishable prescription drugs, showing clearly on the drug's label the date beyond which the potency is diminished or the chemical composition altered by age, and

3. The Prescription Drug Patent Licensing Act, H.R. 1003, would mandate compulsory licensing of new prescription drugs during the 17-year patent monopoly period.

These bills are among the recommendations of an 18-month study conducted by my staff in New York and in Washington, and contained in a report issued nearly three years ago, on March 15, 1973, titled "RX: Retail Drug Price Competition."

American consumers are forced to pay \$1 to \$2 billion annually in unnecessary prescription costs because of prohibitions on retail drug price advertising as well as over-protective patent laws, exorbitant promotional expenditures by industry, unreasonable markups and a widespread lack of effective competition.

Americans last year spent some \$8.4 billion on prescription drugs—about \$40 for each man, woman and child. These regulations could help them cut that bill by several dollars per person.

Shopping for prescription drugs is unlike shopping for any other consumer product. The consumer has been conditioned to avoid comparing prices and not to ask the cost of the drugs ordered. There is usually a sense of urgency involved in having a prescription filled. Patients concerned about their health rarely condition a purchase of a prescription on its cost, nor do they usually have the time or transportation to shop comparatively.

Retailers tend to disclaim any responsibility for drug prices, contending that their prices represent only a reasonable markup over the wholesale cost. The reasonableness of the markup is debatable, especially since retail prices for identical drugs vary dramatically among like stores in the same neighborhood. These price variations relate to differences among the pharmacies in purchasing ability, the cost of trademarked drugs versus generic equivalents, overhead, services and efficiency of operation.

Small independent druggists fear competing with mass merchandisers, a competition which they feel would develop if price information were readily available to consumers. However, the small proprietor usually has two strong advantages over his larger counterparts—convenience and more personalized service. He is more likely to be located near the doctor's office or in a residential neighborhood. Many consumers would undoubtedly be willing to pay for the convenience and personalized service at the neighborhood pharmacy, but they should do so knowing the drug prices probably are higher.

The pharmacists and drug store operators who fight so vigorously against retail prescription drug advertising frequently are the victims themselves of overpricing by the manufacturers.

There are numerous channels through which the influence of pharmaceutical manufacturers is exercised and results in higher prices to the pharmacies and to the public. One widely used method is advertising in pharmacy journals and periodicals and other literature. Advertisements in medical journals represent a significant method of influencing the doctor's prescribing habits.

A second channel of influence is through the Physicians' Desk Reference (PDR), the primary source of information about available drugs for most doctors. The PDR is a catalogue of prescription drugs which illustrates them and explains their usage. It is composed of advertising by the major drug manufacturers and distributed without charge to most doctors and hospitals. Contrary to its implied universality, PDR is incomplete because it mentions only a few generic names for widely consumed basic drugs. Furthermore, the widespread use of this volume serves to conceal from practicing doctors the existence of numerous other manufacturers who can supply the same drugs at lower cost. The higher price of these drugs is, therefore, passed onto the patient, who is caught unaware in this web of economic profit.

Also helping to keep retail prescription prices high is the lack of concern shown by physicians for the price their patients will have to pay for the medicine prescribed. It's time doctors began demonstrating concern for their patients' economic health. One effective way of accomplishing this would be to print unit and dosage prices in the PDR and in other literature made available to physicians by manufacturers and professional medical organizations. Such a practice is followed in nearly every European country.

Studies by my office, by consumer groups around the country and by the news media have shown that prices vary not only from store to store but can even vary from customer to customer at the same store. Simply because prices are not posted or advertised, the clerk or pharmacist can arbitrarily change the price based upon the customer's age, sex, race or appearance. I received a letter from a constituent, a law student, who told me he worked in a small, independently owned drug store where prescription pricing is made on the spot, according to the appearance of customers, how often they visit the store, their knowledge of prices and drugs and how business has gone that day.

It is also common knowledge that prescription prices at some stores are negotiable. In addition, some chains use zone pricing, with

the prices directly related to the proximity of the competition. There are very few, if any, checks on such unethical, if not illegal, practices.

Prices also tend to be higher in low-income neighborhoods. Pharmacists claim there are valid reasons for this situation; business costs frequently are greater, there's the paperwork of third-party prescriptions like Medicaid, insurance is more difficult to get and it is often a problem to hire people for these areas. Large losses due to shoplifting, robberies and burglaries have forced some pharmacists to stop selling prescriptions in high crime areas.

But the poor often pay more for another reason: most low-income people do not enjoy the mobility of the more affluent consumer who has a car and can shop around for the best price. Consequently, the poor have become a captive audience for the dwindling number of frequently smaller merchants in the neighborhoods. The lack of competition in these areas sends prices upward for all commodities, not only medicine.

The opportunity to make an informed choice in the purchase of products which are as necessary to the health of an individual as prescription drugs is a basic right. However, monopolistic drug patent laws, captive pharmacy boards, pressure from pharmaceutical manufacturers and the groundless fears of pharmacists over prescription drug price competition have effectively thwarted the consumer's freedom of choice. The culmination of this closed economic system is the statutes and regulations in a majority of the states, which presently prohibit price advertising.

Pharmacists oppose drug price advertising, claiming they are performing a professional service not appropriate for price advertising and, further, that price advertising can lead to drug abuse.

Both arguments are groundless. Pharmacists today compound less than 5% of the prescriptions they fill and possibly fewer than 2%. Nearly all prescription drugs today are manufactured in correct dosage forms and many are even prepackaged according to the most commonly prescribed quantity. Moreover, the physician and not the pharmacist has the responsibility for determining the medicine to be prescribed and advising the patient on the use of it.

Furthermore, it taxes the boundaries of rationality to imply that informing consumers of prescription prices as opposed to therapeutic efficacy could lead them down the path of drug abuse. These are products whose access content and use are tightly controlled. This "interest" by pharmacy in the public welfare is little more than a facade for concealing the real motive—a desire to avoid price competition in the sale of highly lucrative and often overpriced prescription drugs. It also exposes the hypocrisy of pharmacists who have been strangely silent about the expensive advertising and promotion—often inaccurate or even deceptive—for over-the-counter remedies.

The Commission must beware of permitting the industry at all levels to convert public concern for illicit drug traffic into a restrictive economic profits game.

The consumer is at a distinct economic disadvantage in the retail prescription drug market as a result of strong and effective anti-competitive industry practices.

Meaningful price competition which is available throughout our market system on almost all products and services is seen as an anathema by those associated with drug retailing—even though competition exists there at the wholesale level. All kinds of reasons are given—professional ethics prevention of drug abuse difficulty in consumer understanding, complexity of factors involved—but none stands up under close scrutiny. The fact is that those druggists

who control the profession—the independents—believe they would have great difficulty competing with the chains and discounters if consumers could compare prices of prescription drugs as easily as they do OTC drugs, groceries, clothing and nearly all other consumer products.

Unfortunately, the removal of prohibitions on retail prescription price advertising alone will not be sufficient to foster open price competition in the pharmacy marketplace. Experience has shown that where restrictions were removed, advertising did not necessarily follow. This is believed to be largely due to pressures from the pharmacy establishment, using pharmacist/employees to influence their employers. Academic pharmacists are careful to indoctrinate their young students against retail price advertising (but they are strangely silent when it comes to wholesale advertising, including some so blatant as to show manufacturer's product in a window of a cash register.) Therefore, I believe it will be necessary to make price posting mandatory. Posting has the additional value of informing the consumer of the price when he walks in the drugstore. The disadvantage of posting, however, is that the customer cannot do his comparative shopping in his own home, as he can when advertising is permitted. Taken together, though, advertising and posting complement each other very well and would be of immense value to the consumer.

Therefore, I urge the Commission to include in its final rules mandatory price posting at the point of purchase.

This is a necessary step if we are to shift the focus of the entire drug consortium from wealth to health—and to protect the consumer's economic well-being in the drug marketplace.

SOCIAL ACTION AS A KEY ELEMENT OF RELIGIOUS FAITH

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. BINGHAM. Mr. Speaker, early this month a group of religious leaders issued a statement on the importance of social action as a central element in religious faith. The excerpt printed below appeared in the New York Times for Tuesday, January 6. I include it here because it made a profound impression on me as an inspirational statement of significance to us as we embark on the 2d term of the 94th Congress. While the statement was prepared by a group of 21 Christians, including Protestants of various denominations and 3 Roman Catholics, it seems to me to be consistent with other faiths as well, including especially the teachings of Judaism.

The text of the excerpt is as follows:
EXCERPTS FROM THEOLOGICAL STATEMENT ON
NEED FOR SOCIAL ACTION

(Following are excerpts from a theological statement released yesterday by 21 theologians, teachers and laymen and women in the Boston area.)

The question today is whether the heritage of this [Christian] past can be sustained, preserved and extended into the future. Society as presently structured, piety as presently practiced, and the churches as presently preoccupied evoked profound doubts about the prospects. Yet, we are surrounded by a cloud of witnesses who prophetically exemplify or discern the activity of God.

The transforming reality of God's reign is found today:

In the struggles of the poor to gain a share of the world's wealth, to become creative participants in the common economic life, and to move our world toward an economic democracy of equity and accountability.

In the transforming drive for ethnic dignity against the persistent racism of human hearts and social institutions.

In the endeavor by women to overcome sexist subordination in the church's ministry, in society at large, and in the images that bind our minds and bodies.

In the attempts within families to overcome prideful domination and degrading passivity and to establish genuine covenants of mutuality and joyous fidelity.

In the efforts by many groups to develop for modern humanity a love for its cities as centers of civility, culture, and human interdependence.

In the demands of the sick and the elderly for inexpensive, accessible health care administered with concern, advised consent and sensitivity.

In the voices of citizens and political leaders who demand honesty and openness, who challenge the misplaced trust of the nation in might, and who resist the temptations to make a nation and its institutions objects of religious loyalty.

In the research of science when it warns of dangers to humanity and quests for those forms of technology which can sustain human well-being and preserve ecological resources.

In the humanities and social sciences when the depths of human meanings are opened to inquiry and are allowed to open our horizons, especially whenever there is protest against the subordination of religion to scientific rationality or against the removal of religion from realms of rational discourse.

In the arts where beauty and meaning are explored, lifted up and represented in ways that call us to deeper sensibilities.

In the halls of justice when righteousness is touched with mercy, when the prisoner and the wrongdoer are treated with dignity and fairness.

And especially in those branches and divisions of the church where the truth is spoken in love, where transforming social commitments are nurtured and persons are brought to informed conviction, where piety is renewed and recast in concert with the heritage, and where such struggles as those here identified are seen as the action of the living God who alone is worshipped.

On these grounds, we cannot stand with those secular cynics and religious spiritualizers who see in such witnesses no theology, no eschatological urgency, and no Godly promise or judgment. In such spiritual blindness, secular or religious, the world as God's creation is abandoned, sin rules, liberation is frustrated, covenant is broken, prophecy is stilled, wisdom is betrayed, suffering love is transformed into triviality, and the church is transmuted into a club for self- or transcendental awareness. The struggle is now joined for the future of faith and the common life. We call all who believe in the living God to affirm, to sustain and to extend these witnesses.

There follows the New York Times article describing the circumstances under which the statement was prepared and identifying its authors:

THEOLOGIANS PLEAD FOR SOCIAL ACTIVISM

(By Kenneth A. Briggs)

An ecumenical group of 21 Boston area theologians, teachers and laymen released yesterday a sweeping theological statement that attacks what the group sees as escapist tendencies in recent religious thought and calls on Christians to recognize God's active concerns for the world.

In a four-page, 1,500-word document called the "Boston Affirmations," the group declared what it called a widespread "retreat from these struggles" by the church and suggested that spiritual renewal could be found in suffering on behalf of the poor and oppressed.

This declaration enlivens an ongoing theological dispute between those who are committed to a basically action-oriented perspective and those who argue for a stronger spiritual view of the faith. In part, the controversy has arisen from the activism among churches in the 1960's and the subsequent turn toward conservative theology among many Christians.

Among those who helped produce the statement over the last year were Prof. Harvey Cox, the Harvard theologian; Max Stackhouse of Andover Newton Theological School, a social ethicist; and Norman Faramelli, co-director of the Boston Industrial Mission, under whose auspices the statement evolved.

The group consists of six Episcopalians, four Presbyterians, three Roman Catholics, three members of the United Church of Christ, two Baptists, two Lutherans and a Methodist. Five of the signers are women.

Their deliberations began following a statement produced in January 1975 by another group in Hartford, Conn. The Hartford "appeal" urged Christians to reject "false and debilitating" secular ideas that had allegedly crept into the church.

The Boston response, issued on the eve of the Epiphany, the traditional celebration of Christ as the light of the world, challenged the implicit assumption at Hartford that social action should be subordinated to more "spiritual" concerns.

Among other things, the Boston document rejected the idea that God could be placed "in a transcendent realm divorced from life" and said that "those who authentically represent God" would assert God's presence "in the midst of political and economic life."

"Our main concern," Professor Cox said in an interview, "was to anchor social concern in the Biblical message and in the central tradition of the church."

Taken together, the Hartford and Boston statements represent the classic lines of debate between pietists, who focus on doctrine and personal salvation, and social activists, who understand faith as developing out of engaging in struggles for justice.

These emphases often overlap, of course, as when the Hartford appeal, oriented toward transcendent themes, also notes the need to "denounce oppressors" and when the Boston document makes personal faith the basis for social action.

But the main thrust of each document was to underscore what was believed to be lacking in the other position. The current exchange has already engendered the liveliest theological controversy in recent years and is expected to heat up further now that the Boston text has been released.

Mr. Faramelli said the Boston group was indebted to the Hartford group for emphasizing that "there is a spiritual dimension that goes beyond this world."

"But I'm afraid," he continued, "that their desire to talk about piety and transcendence divorces them from human experience and historical phenomena."

The Boston statement, the outcome of a dozen revisions by Mr. Stackhouse, draws heavily from the concepts and language of "liberation" theology.

It rests on the conviction that there is often a false separation between thought and action, faith and works, doctrine and service.

STRESS ON INVOLVEMENT

It further implies that salvation is not simply a personal matter between the individual and God but requires compassionate involvement in the struggle for such things as alleviation of poverty, the equality of

women and medical care for the sick and elderly.

"We cannot," the statement says, "stand with those secular cynics and religious spiritualizers who see in such witnesses no theology, no eschatological urgency and no Godly promise or judgment."

"In such spiritual blindness, secular or religious, the world as God's creation is abandoned and the church is transmuted into a club for self- or transcendental awareness."

Most of the signers have been long active in ecumenism and social action and many had known each other through this work. Collectively, they represent a liberal outlook that has fallen into some disfavor in the recent reaction against the social involvement of church people in the 1960's.

The Hartford conclave was convened by two Lutherans, the Rev. Richard Neuhaus, a Brooklyn pastor and editor of *Worldview* magazine, and Peter Berger, a sociologist. The participants were drawn mainly from conservative and evangelical traditions and included both Catholics and Protestants.

They insist that social involvement is not a modern extracurricular Christian activity but is at the heart of the Bible's message.

"There is a widespread notion that such concerns are not really theological but a cultural accretion of some modern thinkers and religious activists," Mr. Stackhouse said in a separate statement. "This false impression has, we acknowledge, been compounded by the failure of some church leaders to state the foundations for what they have been trying to do."

Under separate headings, the Boston document declares that a trinitarian God underlies all life, that humanity ignores this source of life, that God "delivers from oppression and chaos" and that "God is known to us in Jesus Christ."

It also notes the contributions of various church traditions and specified areas such as the arts, the "halls of justice" and social sciences where God is working to transform the world.

Mr. Faramelli said the Boston group had rejected the idea of attacking the Hartford appeal directly and decided instead to formulate a positive statement of beliefs. He said the final text represented a consensus, though individual members did not necessarily think, the document was inclusive enough.

Professor Cox, for example, said he would have preferred more emphasis on Christ and mention of the Holy Spirit and the Resurrection.

Omitted from the document were precise definitions of the significance of Christ, the authority of the Bible and the nature of salvation.

Spokesmen for the group said the goal was to spell out these themes in the realm of action rather than in formal, theological terms.

"In working out this statement," Mr. Stackhouse said, "we intentionally chose social metaphors to express the core of biblical and theological tradition. We did this because the mood of much contemporary piety specifically ignores the social implications of the faith."

The participants were:

Norman Faramelli, Episcopalian, Boston Industrial Mission.

Harvey Cox, Baptist, professor of theology, Harvard Divinity School.

Mary Roodkowsky, Roman Catholic, lay chaplain at Harvard and Radcliffe.

Dave Dodson Gray, Episcopalian, member of adult education department, Massachusetts Institute of Technology.

Jeanne Gallo, Catholic Sister of Notre Dame, lay educator, part-time worker, Boston Industrial Mission.

Robert Starbuck, United Church of Christ, social ethicist, Andover Newton Theological School.

Preston Williams, Presbyterian, social ethicist and former acting dean, Harvard Divinity School.

Max Stackhouse, United Church of Christ, professor of social ethics, Andover Newton Theological School.

Scot Paradise, Episcopalian, co-director, Boston Industrial Mission.

George Rupp, Presbyterian, professor of theology, Harvard Divinity School.

Liz Dodson Gray, Episcopalian, member of adult education department, Massachusetts Institute of Technology.

Ignacio Casteura, Methodist, student, Harvard Divinity School, faculty, Evangelical Seminary in Mexico City next academic year.

John Snow, Episcopalian, professor of pastoral studies, Episcopal Theological School.

Mary Hennessey, Catholic, coordinator, Boston Theological Institute.

Constance Parvey, Lutheran, associate pastor, University Lutheran Church in Cambridge.

Joseph Williamson, Presbyterian, pastor, Church of the Covenant in Boston.

Paul Santmire, Lutheran, chaplain and part-time faculty, Wellesley College.

Richard Snyder, Presbyterian, director, Inter-Seminary Training for Ecumenical Mission.

Moises Mendez, Baptist, graduate student, Harvard Divinity School.

Eleanor McLaughlin, Episcopalian, professor of church history, Andover Newton Theological School.

Jerry Handspicker, United Church of Christ, professor of pastoral studies, Andover Newton Theological School.

CLEVELAND—MIDWEST'S CULTURAL AND ENTERTAINMENT CENTER

HON. RONALD M. MOTT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. MOTT. Mr. Speaker, the beauty, charm, and dignity of my home city of Cleveland is well-described by Edmund Morris in the *New York Times* on Sunday, January 11, 1976.

After a recent visit to Cleveland, Mr. Morris wrote positively about Cleveland's emergence as a cultural and entertainment center of the Midwest.

He wrote glowingly and accurately of many of the facilities for which Cleveland is world-reknown. He visited the Terminal Tower, the Arcade, Severance Hall, the Cleveland Museum of Art, the Emerald Necklace and numerous other attractions and was impressed with the magnetism of these facilities.

He partook of the delightful delicacies of our city's abundance of cosmopolitan restaurants.

I am pleased that Mr. Morris had the opportunity to visit Cleveland and report to the readers of the *New York Times* about our city's new look. I hope many more Americans will add Cleveland to their vacation list during the Bicentennial Year.

[From the *New York Times*, Jan. 11, 1976]

CLEVELAND OFFERS A CULTURAL HIGH
(By Edmund Morris)

For some reason, the word "Cleveland" makes New Yorkers giggle. When I brazenly announced recently that I intended to go there—not for business, mind you, but for sheer pleasure—I was overwhelmed by harsh guffaws.

On the first morning of my visit I mentioned this phenomenon to an exquisitely coiffed saleslady in Hall's Department Store, which makes Bonwit Teller look like a bargain basement. "Well, what do you expect?" she said, fingering her pearls. "They're all such provincials east of the Hudson." She did admit, however, that Clevelanders themselves have traditionally written off their city as Nowheresville, U.S.A.

Perhaps it used to be. But Ada Louise Huxtable noted as long as two years ago that "there are signs, watched with as much care as the first spring robin, that downtown Cleveland may be coming back to life." Now, *nouveau pauvre* New Yorkers who can no longer afford to fly to Europe for a weekend will find that Cleveland is a Somewheresville worth investigating. My own long weekend there, which was packed full of shopping, nightclubs, food and three-star accommodation, cost less than \$250, airfare included.

"Ah yes, but culture, that's what one misses in the Midwest," I hear somebody cry. Well, Cleveland happens to have one of the most beautiful museums of art in the Western Hemisphere, and what is in the opinion of many music critics the finest orchestra in the world. Its renaissance theater industry has yet to reach similar heights, but at least one local production—Kathleen Kennedy's "Conversation with an Irish Rascal"—was the hit of last year's Edinburgh Festival. The Cleveland Playhouse ("at which," Brooks Atkinson once wrote, "a Gotham theatergoer might be pardoned for looking a little enviously") is the oldest and largest repertory company in America. During my visit to their Euclid Avenue Theater, I sat among a capacity audience—much of it splendidly gowned and black-tied—which absorbed, in pin-drop silence, every word and gesture of David Storey's "In Celebration." Would that similar elegance and good manners prevailed in the showcases of Broadway.

My first impression of Cleveland, through an American Airlines window, was a romantic blur of sprawling buildings, lushly spotted with parks, dominated by a steeped skyscraper that might have been designed by Mad King Ludwig of Bavaria. Out of the opposite porthole I could see nothing but the shimmering vastness of Lake Erie, stretching away to a sunny horizon.

I arrived downtown just in time to catch the Friday afternoon rush hour. "Will we be passing something called Terminal Tower?" I asked my cabdriver. "Just about to," he said, pointing at a large gray mass looming ahead. I stuck my head out of the window and saw that it was the fairytale tower I had glimpsed from the airplane—a little less romantic in close-up, perhaps, but at 52 stories the tallest building between New York and Chicago.

Pushing through a crowded lobby (Terminal Tower is the focal point of Cleveland's 25-cent rapid-transit system), I found an elevator which whisked me to the 42d floor and the observation deck that has a 25-mile panorama of lake, city and sky.

Cleveland, as I could see by gazing directly downward into Public Square, is radial in layout. The main avenues—Superior, Euclid, Carnegie and Lorain—fan out from the Tower, running east and west of Ontario Street, which points, appropriately, north to Canada. Down on my left the Cuyahoga River meandered sparkling through a thicket of bridges and industrial "Flats." On my far right, and behind, curved a serene escarpment of forested heights—the "Emerald Necklace," where Cleveland's prodigal millionaires live. (This unbroken chain of green—74 miles long, according to my guidebook—forms the largest urban park system in the world.) Over everything shone the strangely cool, pearly light of the Great Lakes, and in the west the sun was spreading gold across the surface of Lake Erie.

I rather regret that I didn't stay at the

Hollenden House, only two blocks away from Terminal Tower on Superior Avenue. It's a new, glossy, boxy sort of hotel, full of ersatz Victoriana and electrified candelabra; the rooms are gigantic, quiet and luxurious, and the location is the best in town. But due to a certain shortage of funds, I checked into the nearest Holiday Inn.

Superior Avenue was quiet when I returned to Public Square half an hour later, except for a few hand-holding couples from nearby Cleveland State University. I strolled west past the nation's second biggest Public Library toward the pillar-top silhouette of General Moses Cleaveland. (The "a" was dropped from his name, incidentally, when a local newspaper could not fit it into its masthead.) Presently I came upon an old red building called simply "The Arcade." From the outside it looked very squat and dull, but when I stepped inside I felt like an ant blundering into a kaleidoscope. I found myself dwarfed by a 19th-century shopping gallery, five floors high, running the whole distance between Superior and Euclid Avenues. Four tiers of ornate balconies rose stepwise from a mosaic floor to a truss-spanned glass ceiling—deep violet now, as evening settled over the city. Red, white and blue bunting, commissioned I presume for Bicentennial reasons, hung in graceful folds high above the heads of the day's last pedestrians. Brass-banistered staircases spilled from one level to the next. No hint of canned music polluted this marvelous interior. It was filled only with the soft swish of shoes, the murmur of voices, the whistle of a janitor polishing tiles.

Two more arcades, Colonial and Euclid, admitted me graciously to Prospect Avenue. Here for the first time I encountered the "other" Cleveland—a jumble of porno shops, thundering radio stores and bars with names like Cold-Blooded Lounge and Joe's Thing. White Clevelanders, no doubt, consider this part of town threatening and slummy; compared to Harlem, however, it seemed placidly middle-class. There is a reassuring absence of threat in the air, a kind of jazzy *bonhomie*.

As I hesitated in the exit from the arcade, a splendid dude emerged from the Cold-Blooded Lounge opposite, along with a blast of hot rock. The red velvet curtain swung shut behind him. His wrap-rounds flashed as he gazed down Prospect toward the setting sun. Then, lighting a Lucky, he exhaled hugely, adjusted his ruffled cuffs and teetered east on purple platform heels. Clearly the latter were giving him trouble, for he stopped at a shoe-repair shop ahead of me. As I passed by I heard the proprietor's angry complaint: "I'm a cobbler, man not a—carpenter."

Huron Mall, which led me back to Euclid, is one of those imaginative pedestrian thoroughfares that New Yorkers are always planning. Although a token auto-traffic lane still winds through, it has been scaled down to prohibitive proportions. The pedestrian sidewalk, on the other hand, has expanded to a width of fully 40 feet. Pleasantly decorated with trees, flowering shrubs and picnic benches, the mall runs past the chandelier-bright windows of Hall's Department Store, past the million-volume Publix Book Mart and straight into Playhouse Square.

Here, right next to the theaters, there is a three-story restaurant somewhat in-scrutinably named The Last Moving Picture Company. Its cinematic design is imaginative, and the food and drink—well, copious. For \$1.50 I received a glass with ice in it and as much Scotch as I would permit the waitress to pour. Dishes are named in honor of movie stars: the Bob Hope is an 18-ounce lobster tail at \$11.50; the Brigitte Bardot a juicy filet at \$8.75. The wine list (printed in the form of a film-can decal) features an excellent Louis Martini Cabernet Sauvignon for \$6.50. Vintage movies flicker silently

while you dine. I had time to linger over my coffee and cognac, since Cleveland's theater curtains do not go up before the civilized hour of 8:30 P.M.

Three hours later I emerged into the mild fall night and decided I didn't want to go to bed yet. A cab driver recommended the Grecian Gardens: "There's a midnight floor show, and the *ouzo* is good."

It turned out to be a noisy, cheerful supper club (menu in the \$4 to \$9.50 price range) whose *ouzo* is indeed beyond reproach. So is its *retsina*, if you happen to share my passion for that coarse pine-flavored wine. The *doimades* and the *mousaka* are authentically Greek, although the belly-dancing is not. Unless you have eardrums of brass, I would not recommend a table too near the *bazuki* band. The proprietor did not start looking at his watch until two, by which time I was doing the same anyway.

After breakfast next morning, I took advantage of the quiet Saturday streets and embarked on a bus tour of Greater Cleveland. Curving highways sped me past Lakeside Stadium—home of the redoubtable Browns and Indians—and northeast along the yacht-spiked Shoreway. En route I discovered that the atmosphere of the Great Lakes is curiously non-marine: waves crash, gulls cry, the horizon shines and a fresh breeze blows, but there is no salt, no ozone, no sense of the sea. At Gordon Park the bus turned inland and the Emerald Necklace lifted it up toward the Heights. On the way, we passed the famous "Cultural Gardens"—22 exquisite miniparks representing the landscape architecture of Cleveland's immigrants—before stopping at University Circle.

This smoothly lawned 500-acre enclave on the campus of Western Reserve University is a rich concentration of cultural and educational institutions. In a matter of minutes, if you take a walk around the circle, you will pass the Natural Science Museum, Western Reserve Historical Society, the Frederick L. Crawford Auto-Aviation Museum, the Cleveland Institute of Music, the Garden Center of Greater Cleveland, the Cleveland Institute of Art, the Freiberger Library, Severance Hall, the Howard Dittrick Museum of Historical Medicine and the Temple Museum of Religious Art and Music. Serenely dominating them all is the Grecian bulk of the Cleveland Museum of Art.

Since I was saving this jewel for the next day, I chose another museum for the moment—the Auto-Aviation (admission \$1), where vintage Panhards, Wintons and Hupmobiles winked and gleamed on the polished floor, and airplanes dating back to 1911 hung in motionless flight. By the time I left, my stomach was sonorously requesting lunch. My guidebook suggested the Ohio City Tavern.

Ohio City is a 19th-century backwater on the west side of the Cuyahoga. Its leafy streets and old frame houses are becoming fashionable again after a period of neglect, and the air is sweet with the smell of stripped wood and fresh paint. Waves of renovation and restoration are spreading outward from the Ohio City Tavern (1850), which not so long ago was merely Joe's Cafe, a hangout for local winos. Paul Martocchia, an enterprising restaurateur, brought the tavern in 1968, mainly because he had found some 28-foot stained glass windows in a demolished church and thought they might make attractive hanging ceilings. Now, seven years and \$100,000 later, he presides over a thriving period piece, and throngs of well-to-do Clevelanders regularly drive across the river to lunch and dine under tons of stained glass.

The tavern is famous for its quarter-pound

frankfurters and German potato salad at \$1.75; nobody mentioned its Muzak. Since I prefer to lunch away from stereo saxophones, I merely had a beer at the Mahogany Bar, then walked down Bridge Street to Heck's Cafe. This old and charming establishment offers the most amazing variety of hamburgers I have even seen, from the plain Heckberger with lettuce, tomato and red onion slices (\$1.95) to the Burger au Poivre (\$2.40) and "El Ultimo" (\$2.45)—about half a steer, ringed with mushrooms, studded with truffles and topped, believe it or not, with Monterey Jack cheese. There are at least 15 varieties of tea.

It was almost 3 o'clock when I emerged, map in hand, and set off to explore the Powerhouse and the Flats. These two preservation and development projects occupy the left and right banks of the Cuyahoga River respectively. The former is, as its name implies, an old red-brick powerhouse. Its giant bulk has been sandblasted clean, and is being filled with a potpourri of specialty shops, restaurants and theaters. Although it does not open officially until March 1976, it has already generated much architectural excitement.

Just across the river, on my way to the Flats, I happened upon Settler's Landing, where General Moses Cleaveland stepped ashore on July 22, 1796. This is also the notorious spot where the Cuyahoga caught fire several years ago. Today, thanks to frantic anti-pollution efforts upriver, it runs cleaner than it has in 20 years. Waterbirds scoop and skim again, dodging riverboats as they go.

I stood here, among grass and flowering weeds, hypnotized by the extraordinary riverscape. Bridges—at least 20 of them—soar this way and that, their crazy angles reflecting the fact that the Cuyahoga (Indian for "crooked") meanders 855 degrees in its last two miles. One drawbridge rears into the air like a frightened dinosaur; another massive ramp slants promisingly skyward, then stops dead, chopped off presumably by the Great Depression. It's a favored locale for chic Cleveland barbecues.

The waterfront is an incongruous jumble of reeds, bollards, rotting logs, glossy pleasure boats, industrial frontage and groves of weeping willow. I walked on down Old River Road, keeping pace with a lake steamer about the size of Rhode Island, until I came to a complex of Victorian warehouses and factories. This, said a newly painted sign, was the Flats Development Project.

Forty million dollars is being spent in rehabilitating the waterfront's old brick buildings, creating what Mme. Huxtable calls "a kind of Bohemia" in the oldest part of town. Rope shops, fish markets and flophouses are being transformed into boutiques, restaurants and book stores, while glassy new cultural and entertainment facilities rise above the cobbled streets.

For most of the afternoon I browsed around the Flats' five historic acres, enjoying the luxury, unknown to New Yorkers, of being able to stare at merchandise without being hustled for a purchase. I found a wealth of Irish antiques at Emerald-in-the-Flats ("Every one of 'em," breathed owner Dee Keating in her authentic Brooklyn brogue, "comes with a shtory!"). James R. Wager's new Boutique Polonaise, nearby, sells Polish crystal, jewelry, salt-carvings and Klim rugs fine enough to hang as tapestries.

Having worked up a considerable thirst, I proceeded to slake it at the Cleveland Crate and Truckin' Company, currently the most popular watering hole in the Flats. Its Beer Porch has a tranquil view of the Cuyahoga, especially charming at sunset, when the bridges burn red and foghorns sound sadly from downriver.

After a shower and change in the motel that evening I summoned a cab and murmured two musical words: "Severance Hall." Much has been written about this acoustically perfect auditorium, and much more about its resident Cleveland Orchestra, the most sumptuous of symphonic ensembles. It will not add my own inadequate adjectives to say that to be in Cleveland during the season (mid-September to mid-May, Thursday, Friday, Saturday, 8:30 P.M.) and not hear the orchestra in situ is akin to visiting Rome and passing up St. Peter's.

After the concert, I decided to seek out Little Italy, which clusters around Mayfield Road. Although it was past 11 o'clock when I got there, Guarino's was still open, giving forth a rich miasma of ragu. Guarino's is the quintessential Italian family ristorante, with an autographed picture of Renata Tebaldi up front, a herb garden out back and lots of warm, savory activity going on in between. I partook freely of fresh salad and homemade fettuccine (\$5.50) and drank a superb '64 Barolo (\$8.50 a bottle). Seeking to clear my head after this latter indulgence, I ordered capucino, not noticing that its price (\$2.50) was ominously high. It turned out to be a frothy crock of house-blended coffee, steamed milk, cocoa, espresso, whipped cream and cinnamon, laced with enough cognac to stun a mule. At this point, memory blanks out.

On Sunday morning, I took a bus out of town to the greenest and most beautiful link in Cleveland's Emerald Necklace; Shaker Heights. This suburb has mansions as huge and stately as any in Darien, Grosse Pointe or Chevy Chase. Prosperous black and white families live side by side here in an atmosphere of leafy peacefulness. Shaker Lakes, its central park, is so lush and manicured one winces to think what we put up with in New York. (For that matter, Cleveland's entire park system seems to be impeccably maintained: even in slummy areas, lawns are litter-free and flower beds untrodden.)

After working up something of a noontime appetite here, I had a light brunch at the nearby Saucy Crêpe (12 different crêpes to choose from, averaging about \$3 each). Then I took a bus back to University Gardens for the greatest aesthetic experience Cleveland has to offer. The Museum of Art opens at 1 o'clock on Sundays and closes—well, about 30 centuries later. Admission is free. Many connoisseurs prefer it to New York's Metropolitan, because while its treasures are not less great, its size is less overwhelming. It is laid out so simply—in the form of a quadrangle, each gallery "growing" chronologically out of the one before—that you can walk through the entire spectrum of Western art in about two and a half hours, without feeling culture drunk. An especially pleasant feature of the layout is the use of patios and garden courts where you can rest at intervals, and enjoy the neutral play of sunlight on leaves.

Everybody will linger in front of the masterpieces that mean most to him or her, I remember a smiling Egyptian deity hauntingly profiled in limestone; a dreamy St. Catherine by Grünewald (her robe as delicately rippled as the tissues of an oyster); a red chalk study for the Sistine Ceiling by Michelangelo; the dimpled "Isabella Brant" of Rubens; a series of wistful, anonymous wooden Madonnas; two brooding Rembrandts; an austere profile of Washington by Joseph Wright; the stupendous, face-warming "Burning of the Houses of Parliament" by Turner, a tumbling "Fall of the Angels" by Rodin (the Museum is improbably rich in works by this sculptor); and finally a long gallery of Impressionists—Manet, Monet, Pissarro, Degas, Cézanne—which whipped up such a cyclone of orgiastic color that I walked out flicking imaginary daubs of paint off my clothes. Long after Terminal Tower had shrunk to a needle in its American Airlines porthole, and Lake Erie had slipped over the

horizon behind me, those colors were whirling in my brain, only to be dimmed by sleep, and the cold light of a Monday morning in New York.

IF YOU GO . . .

. . . to Cleveland for the weekend, you can take advantage of American Airlines' special Saturday/Sunday excursion rate of \$78.73 round trip from New York. Slower but more scenic is Amtrak's new "Lake Shore Limited" service, New York-Albany-Buffalo-Cleveland) for \$68 return. First-class with sleeping accommodations: \$129. Trains leave daily at 6:15 P.M., arriving at 7:30 next morning. Should you want to drive, it'll take you about seven hours from New York along Interstate 80.

Paul of Shaker Square Limousine Service (216-751-7865) offers Cleveland in style, a "night on the town" package: limousine, uniformed chauffeur, front row theater tickets, dinner at the Theatrical, floor show at the Grecian Gardens, dancing and nightclub at The Last Moving Picture Company (\$175 per couple, all-inclusive; two weeks' notice necessary).

Narrated "See Cleveland Tours" (adults \$6, children \$3) operate daily at 9:30 A.M. and 1:30 P.M. from the Sheraton-Cleveland Hotel on Public Square. The tour lasts three hours; reservations necessary (216-721-0762). Boat tours operate from the East 9th Street pier between May and September daily except Monday. At 10:30 A.M. and 1 P.M. there is a two-hour cruise up the Cuyahoga (\$1.50) and a four-hour lake-harbor-river "special" (\$3.75) at 1 P.M. On Saturday nights there are dance cruises at 9 P.M. and 11:30 P.M. (Information: 216-531-1505.) The American Institute of Architects (125 The Arcade) publishes an illustrated booklet of walking and automobile itineraries.

The Hollenden House is luxurious, central and expensive (double, \$38-\$40, suites \$76-\$205). Reservations should be made ahead of time (216-621-0700). There are plenty of good motels in and around Cleveland with double rooms starting at around \$21. Although Howard Johnson's, on Euclid Avenue at 107th Street, is not very central, it's right on University Circle, and has stunning views across the park toward the Museum of Art. Make sure your room faces north, though, or you'll get stunning views of Cleveland's back streets. Doubles, \$23.50; tel: 216-731-2400.

TIGER IN THE FOREST

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 19, 1976

Mr. PASSMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Wall Street Journal, Jan. 13, 1976]

"TIGER IN THE FOREST"—U.S. GENERAL ENVISIONS 'A SHORT, VIOLENT WAR'—IF KOREAN REDS ATTACK—HOLLINGSWORTH'S PERSONALITY AND STRATEGY DRAW FIRE; PLAN IS CALLED UNREALISTIC—IS HIS REPUTATION DETERRENT?

(By Norman Pearlstine)

HILL 229, SOUTH KOREA.—The South Koreans call him Ho Lim Soo, "the dignified tiger in the forest." But Lt. Gen. James F. (Holly) Hollingsworth more closely resembles a tough old tomcat, showing the scars of bloody battles but still lusting for a last good fight.

Raising a finger, the 57-year-old Texas points north from this fortified guard post to a broad valley and the enemy beyond. "This is my killing zone," he says with a slow grin

and a slight Southern drawl. "If the Communists attack, they have to bring their tanks through here. And when they do, I am going to murder them."

Coming from others, the general's tough talk might be dismissed as mere military bombast. But "Holly is one of those generals who is totally committed to mayhem," says a senior staffer on the Senate Foreign Relations Committee, and his words should be taken seriously.

General Hollingsworth commands the 183,000-man U.S.-South Korean I Corps Group, one of the world's largest combat armies. He must defend the central part of the 151-mile-long demilitarized zone (DMZ)—including the most likely invasion routes—and the 6.5 million citizens of Seoul, the South Korean capital less than 30 miles south of here. With the fall of South Vietnam, the Korean peninsula has again become the most threatened area in Asia, making that command much more important.

As the Communists were completing their takeover of Indochina, all of Korea began to talk of war. North Korea's President, Kim Il-sung, made a well-publicized trip to China ostensibly seeking support for reunification of the peninsula under Communist control and for removal of the 40,000 U.S. troops still in South Korea.

American officials, from President Ford and Secretary of State Kissinger down, responded with promises to keep U.S. troops in South Korea indefinitely and to send the South Koreans more and better weapons. It doesn't now appear that a new Korean war is imminent—China apparently gave little support to North Korea—but these new tensions have prompted Gen. Hollingsworth to review his plans for meeting any North Korean attack.

Recognizing that Vietnam ended America's appetite for long Asian ground wars, Gen. Hollingsworth says he has prepared for "a short, violent war." Relying on heavy artillery, already in place along the DMZ, and on massive air support, including B-52 bombers now on Guam, he claims he can end any war in nine days.

FOUR DAYS TO TIDY UP

"We'll need five days and five nights of real violence," the short, sturdily built general says. "Our firepower will have a tremendous impact on their ground troops, breaking their will to fight in addition to killing them." After that, "we'll need four more days to tidy up the battlefield."

The general's command includes 11 South Korean divisions and one American division, the U.S. 2nd Infantry. Although that division is based only 15 miles from the DMZ, Gen. Hollingsworth says it wouldn't be used in such a short war but instead would be withdrawn from the border area and would be held in reserve. "They wouldn't get a scratch on them," he says.

(American troops, including Gen. Hollingsworth, are here under terms of a U.S.-South Korean mutual defense treaty that obligates the U.S. to defend South Korea if it is attacked by North Korea.)

Gen. Hollingsworth is convinced his short-war plan would work, but there are others who hold such sanguine promises suspect. One U.S. military official says privately that there isn't enough artillery in place to sustain the violent conflict the General envisions. Japanese defense analysts think it would be at least several months before South Korea and U.S. troops could end a war with the North.

PRESSURE ON POWERS

If so, pressure might build on China and the Soviet Union to enter the conflict and on the U.S. to increase its troop commitments. Ultimately, the U.S. might also feel compelled to use nuclear weapons. The Defense Department has acknowledged that

there are nuclear weapons in South Korea, and American officials concede they might be used if Seoul itself was near collapse.

Other critics say that Gen. Hollingsworth's preoccupation with violence is excessive, even for a military man, and question whether his aggressiveness is appropriate for Korea or anywhere else in today's world. The general learned to fight during World War II, when the public and the politicians glorified destruction of the enemy. A protégé of Gen. George S. Patton, he emerged from that war with five Purple Hearts, a clutch of other medals and the reputation of having killed more than 150 enemy soldiers in hand-to-hand and close-fire combat.

During the Vietnam war, however, violence per se was less accepted by the public, and many military men, including Gen. Hollingsworth, saw their reputations tarnished. Gen. Hollingsworth served in Vietnam in 1966-67 and 1971-72; people who knew him there say he fought valiantly, especially at An Loc, where he earned another Purple Heart blunting a heavy North Vietnamese attack. But he is best remembered as the subject of a London Sunday Times article titled "The General Goes Zapping Charlie Cong." That article typed him as an insensitive Texas redneck whose primary pleasure was shooting up the countryside from his personal helicopter—"Killin' Cong," as he was quoted as saying, and anything else that moved.

Many people turned against Gen. Hollingsworth after the piece was published. Largely because of it, some government officials in Washington still refer to him as an "unguided missile" or a "hip shooter."

The general says he was portrayed unfairly in Vietnam and insists he was only doing "what I have done throughout my military career—saving as many lives as possible while destroying the enemy." He now speaks of Vietnam as a "long, drawn-out, unfortunate affair that people tired of," and defends his conduct there as necessary.

Gen. Hollingsworth's defenders, including some top officials in the American embassy in Seoul, say the "hip shooter" image is overdrawn. They also assert his reputation for violence may now serve as an important deterrent to North Korean aggression along the DMZ. "Holly is the only general in the world who tells the enemy exactly what his plans are," says another American military official in Korea, "but that has probably kept the North Koreans from miscalculating when evaluating our defenses."

An embassy official who knows him well says that despite the wild image, he follows orders and is easier to work with than other, less flamboyant American military brass in South Korea. "He's no dummy," adds another embassy staffer who says the general reads voraciously about politics, international relations and sociology.

Gen. Hollingsworth is credited with improving the preparedness and morale of South Korean and U.S. troops during the two and a half years he has headed I Corps. Soon after he arrived he junked his predecessors' defense strategy—which called for retreat in the face of attack, followed by a slow counterattack—because it would have exposed Seoul to North Korea's long-range guns, setting the stage for a long conflict. "That was unacceptable," the general says. "Instead, we decided we couldn't give up an inch of South Korean soil."

LINE ADVANCED

To make the new strategy work, the main defense line has been advanced to the DMZ from points about two miles behind the zone: mines have been planted along the DMZ to help blunt a tank attack; and guard posts like this one on Hill 229 have been fortified with new monitoring equipment. (Though the DMZ is demilitarized, troops are permitted inside it in limited numbers. There are a few guard posts inside the DMZ; Hill 229, however, is right on the line separating the southern part of the zone from the rest of South Korea.)

Gen. Hollingsworth has also revamped his troops' training programs. Recognizing that winter is the most likely time for invasion—the rice fields are frozen, providing easier access for North Korea's tanks—he has stepped up cold-weather maneuvers. There is also more night training, and helicopter units have been given extensive "pinnacle landing" instruction so that they can drop troops atop mountains that would otherwise have to be climbed. Gen. Hollingsworth says the entire I Corps Group can now be mobilized in one to two hours.

The general's presence has encouraged South Korea's own military leaders. Some South Korean generals under his command not only imitate his bantam walk but also mimic his lectures to troops about the honor that accompanies killing the enemy.

Other South Koreans say they are impressed that Gen. Hollingsworth spends so much time along the DMZ and at I Corps headquarters near here. The general took no leave last year, and even though his wife lives in Seoul he spent every night at his headquarters or in the field. "Gen. Hollingsworth has said he is willing to die for us, and we believe him," says one South Korean military official.

SURPRISE INSPECTIONS

To boost morale and make sure the troops are following orders, the general makes frequent unannounced inspection tours along the DMZ, usually traveling by helicopter (which is flown at 100 miles an hour as close to the ground as possible). Addressing groups of soldiers, he stresses his short-war strategy and the importance of physical and spiritual

conditioning. "We will have to fight for five days and five nights," he says. "Those that can do it will enjoy destroying the enemy while those who aren't fit will regret they couldn't savor the victory."

The general has also tried to develop rapport with the South Korean farmers and villagers who live near the DMZ. He has had 12 million trees planted during the past two years and has begun soil-conservation and water-purification programs. He has instructed his troops to help the farmers plant and harvest their crops whenever training permits. The military relies on the farmers and villagers to detect and report North Korean infiltrators.

Gen. Hollingsworth is lavish with praise for the South Koreans. He doesn't share the concern many Americans have about the authoritarian government of President Park Chung Hee. Instead, he refers to Mr. Park, who has been president since 1963, as "the most experienced president in the free world—a man who has done tremendous things for his country."

The general says the South Korean troops are "more mature, better disciplined and better trained" than the South Vietnamese were. He notes that many South Korean officers and enlisted men, such as the "Blue Dragon" marine brigade, gained valuable experience fighting in Vietnam and that many others have spent months or years studying at military facilities in the U.S.

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Gen. Hollingsworth also argues that the South Koreans are far better prepared to defend themselves than they were when the Korean war began in 1950. "South Korea had only 26 pieces of artillery along the whole border in 1950," he says. "My area alone now has well over a thousand pieces." In addition, he says, the present border gives the South Koreans much better ground position than they had before.

The general's tour of duty as head of I Corps is likely to end this summer, and his career may end with it. He would like to be assigned to Europe and introduce his short-war concept there or succeed Gen. Richard Stillwell as commanding general of all troops in South Korea. Either assignment would mean a promotion to four-star general from his three-star rank.

Many American military officials in South Korea think Gen. Hollingsworth could handle Gen. Stillwell's job. But others, including some Pentagon officials, still question whether he is diplomatic enough to handle such an assignment. "There aren't many jobs around for combat commanders like Holly," says one Pentagon official. "If there were a war, he would definitely get a promotion and a fourth star." But without one, he may have to retire.

HOUSE OF REPRESENTATIVES—Tuesday, January 20, 1976

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. O'NEILL) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.

January 20, 1976.

I hereby designate the Honorable THOMAS P. O'NEILL, Jr., to act as Speaker pro tempore today.

CARL ALBERT,

Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is the strength of my life; of whom shall I be afraid?—Psalms 27: 1.

Almighty God, our Heavenly Father, who art the source of light and life, help us to open our minds to Thy truth and our hearts to Thy love that with faith and without fear we may face the tasks of this day. Turning our thoughts to Thee may we be wise in our decisions, honest in our dealings, understanding in

our endeavors, and loving in our relationships.

Bless those who work under the dome of this glorious Capitol, our President, our Speaker, Members of Congress, and all those who labor with them and for them. To all may there come a spirit which will enable them to work together for the highest good of our beloved Nation.

Bless our people with Thy favor that, conscious of Thy presence, they may live together in peace and with good will.

In the spirit of Christ we pray. Amen.